Human Rights Center «Viasna»

Situation of Human Rights in Belarus in 2012

REVIEW-CHRONICLE

Minsk, 2013

SITUATION OF HUMAN RIGHTS IN BELARUS IN 2012

REVIEW-CHRONICLE

Compiled by Tatsiana Reviaka

Editing and introduction by Valiantsin Stefanovich

The book was prepared on the basis of the monthly reviews of the situation of human rights in Belarus in 2012. Each of the monthly reviews includes the analysis of the most important events which influenced the observation of human rights for the given period, as well as the most evident and characteristic features of the abuses registered at that time.

The review was prepared on the basis of personal applications of victims of human rights violations, the facts that were registered by human rigths defenders or voiced in open information sources.

The book makes use of photos by Yuliya Darashkevich Dzmitry Bushko, Siarhei Hudzilin, Nastassia Loika, the web-sites http://photo.bymedia.net, http://nn.by, http://euroradio.fm, http://www.svaboda.org, http://volkovysk.by, http://gazetaby.com, http://mfront.net, http://www.reuters.com, http://belsat.eu/be, belhouse.org and the archive of the Human Rights Center «Viasna».

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INTRODUCTION

The human rights situation remained consistently bad in 2012. The authorities haven't take any action to diffuse the political situation in the country, it was preserved in the same conditions, which was reflected in repressive laws and enforcement practices.

The lack of progress concerning the release of political prisoners and the continuation of human rights violations were the main cause of self-isolation of Belarus.

During 2012 the Belarusian authorities repeatedly demonstrated contempt for their international obligations to protect human rights, especially in the framework of the UN and the OSCE.

Belarus is the only country in Europe and the former Soviet Union which still applies the death penalty. According to public information, at least three death executions were conducted in Belarus in 2012. The hasty shooting of the accused of the terrorist act in the Minsk metro, Dz. Kanavalau and U. Kavaliou, significantly increased the distrust to the official results of the investigation and the verdict in the case, and also caused a wide public discussion concerning the need to preserve this kind of punishment in the country.

The elections to the House of Representatives, held in September, clearly demonstrated that the electoral campaigns stopped ensuring the implementation of the constitutional right of citizens to participate in the government of the country and therefore were not a form of implementation of democracy.

In 2012, the authorities continued severe repressive policies, started after the events of 19 December 2010 and bringing significant restrictions of basic civil and political rights and freedoms: peaceful assembly, association, expression, distribution of information and others. This was significantly supported by the changes in legislation that have occurred in the second half of 2011 (to the Criminal Code, the laws «On Mass Events», «On Political Parties», «On Public Associations») and were obviously repressive.

Despite some stabilization of the political situation in comparison with the end of 2010 and 2011, the issue of political prisoners and politically

motivated criminal prosecutions remained a topical one. At the end of 2012 12 political prisoners – Ihar Alinevich, Mikalai Autukhovich, Ales Bialiatski, Dzmitry Dashkevich, Mikalai Dziadok, Aliaksandr Frantskevich, Eduard Lobau, Vasil Parfiankou, Artsiom Prakapenka, Pavel Seviarynets, Mikalai Statkevich and Yauhen Vaskovich – were still in jail.

The Law «On Amnesty, adopted in July 2012, was artificially politicized in order to prevent its spread on political prisoners. In particular, it was the first time when the amnesty didn't spread on Article 342 of the Criminal Code («organization and preparation of group activities that breach public order or active participation in them»). The matter is that ten people had been convicted under this article in connection with the events of 19 December 2010, including Pavel Seviarynets who continued serving his term of personal restraint, and eight others, punished with conditional or suspended imprisonment; excluded was also Article 293 («mass riot») – the presidential candidate Mikalai Statkevich continued serving his sentence under it; Article 367 («defamation of the president») – the journalist Andrei Pachobut continued serving a suspended sentence under it. Other political prisoners, which theoretically would fall within the scope of the Law «On Amnesty» were given the status of «persistent violators» of the «regime of punishment», which also deprived them of the right to pardon. Among them there was the convicted chairman of the HRC «Viasna» Ales Bialiatski, on whom the action of the Law «On Amnesty» could spread, as a result of which his term would have been shortened for a year. However, the prison administration imposed some disciplinary punishments on him and subsequently gave him the status of «persistent violator». This indicates that the authorities did not want to release the political prisoners as a result of the use of common and non-specific legal procedures towards them. First of all, it was important for them to be able to release political prisoners in a suitable time with respect to foreign policy factors. Secondly, they wanted to do it only on the condition that the prisoners wrote pardon petitions for the President. The unprecedented campaign of pressurization of political prisoners on the part of the prison authorities can be explained by the wish to squeeze out such petitions from the political prisoners.

Four prisoners were released in April and September 2012 after writing such petitions. In particular, April brought the release of the former presidential candidate Andrei Sannikau and his closest ally Dzmitry Bandarenka, coordinator of the civil campaign «European Belarus». It is known that the appropriate petitions were wrote by A. Sannikau back in November 2011, and by Dz. Bandarenka – in February 2012. In June it was reported that

petitions for clemency were written by two more political prisoners – the activist of the Conservative-Christian Party BPF Siarhei Kavalenka, and Pavel Syramalotau, convicted on the so-called «Babruisk case». The both of them were released only in September, after the end of the parliamentary elections.

During 2012 the authorities demonstrated new forms of pressure on political prisoners, which has never been used in previous years: provocations by other prisoners, denial of food parcels and visits with relatives, regular placement to penal cells and transfers to cell-type prison facilities, toughening of the prison regime and conviction for additional prison terms. In fact, all political prisoners experienced pressure in one form or another, which suggests a purposeful campaign, organized by the authorities with the participation of security services. Political prisoners Zmitser Dashkevich, Andrei Sannikau, Mikalai Statkevich and others repeatedly stated about pressure on the part of the prison authorities. Human rights activist Ales Bialiatski wasn't an exception: he received seven disciplinary punishments during the seven months of imprisonment in the penal colony #2, which resulted in the deprivation of food parcels and all short-term and long-term meetings with relatives, who haven't seen him since December 2012. As it became known from the information received from the prisoners, the prison authorities punish them for any communication with Bialiatski. Thus, he is kept in the conditions of a complete isolation not only from the outside world, but also from other prisoners.

At the end of 2012, five political prisoners were serving sentences in cell-type prisons (Mikalai Autukhovich, Dzmitry Dashkevich, Mikalai Dziadok, Mikalai Statkevich and Yauhen Vaskovich). On 28 August 2012 Zmitser Dashkevich was additionally sentenced to 1 year in prison under Part 1 of Art. 411 of the Criminal Code (willful disobedience to the prison administration). The sentence was issued at an ambulatory session of Hlybokaye District Court. This is the first use of this Article towards a political prisoner, which creates a very dangerous precedent.

Lukashenka's personal control over the cases of political prisoners is witnessed by his statements during 2012. Thus, on 23 September he said while voting at a polling station: «If I am not mistaken, two men applied for pardon» (he didn't call the surnames). «Frankly speaking, I'm not in the know. If applications were received, the documents are in the Commission on Pardons. We will inform you.» On 16 October, during a press conference for Russian regional journalists, Lukashenka said: «We have two or three

prisoners, who stormed and broke the House of the Government». However, he continued to insist on the compulsory writing of pardon petitions for him as a prerequisite to the application of clemency procedures. This position looks inconsistent against the fact that in 2008, and in 2011 the authorities released prisoners with clemency procedures through the respective presidential decrees without any prior clemency petitions. In addition, the current criminal procedure law of the country does not require a prisoner to file any penalty petitions as a condition for pardoning him.

New politically motivated criminal cases were registered in 2012: against the previously pardoned political prisoner Vasil Parfiankou, journalists Andrei Pachobut and Anton Surapin and real estate agent Siarhei Basharymau. It's also worth mentioning the prosecution and imprisonment of a 21-year-old member of the unregistered Navapolatsk group «Union of Young Intellectuals», worker of Navapolatsk enterprise «Naftan» Andrei Haidukou. According to the official press service of the KGB, he was charged under Art. 365 of the Criminal Code for «high treason in the form of the intelligence activities.» The Human Rights Center «Viasna» expressed its distrust to the official charges due to the complete absence of information. Human rights defenders don't rule out the political motivation of prosecution of the activist.

During the year, human rights organizations recorded numerous instances of pressure on public and political activists on the part of the security services. This pressure was consequent and personally oriented. The security services paid a special attention to representatives of youth associations and coordinators of social networks. Various methods of influence were used on them, starting from calls to «talk» to the KGB and ending with arbitrary and illegal detentions and administrative arrests, warrantless searches of private premises and the like. The arrests of youth activists Mikalai Dzemidzenka, Pavel Vinahradau and Uladzimir Yaromenak were notable in this regard. These activists were regularly charged with alleged disorderly conduct – the use of obscene language in public. The practice of isolation of dissidents became systemic. Representatives of Belarusian human rights organizations applied to the Prosecutor General and the head of the Supreme Court with a proposal to meet and discuss the situation, but were ignored.

During the year, the security services and the prosecutor's office kept pressurizing the journalists who cooperated with foreign media, first of all – the satellite TV channel «BelSat» and Radio «Racyja», without receiving an accreditation from the Belarusian MFA.

In 2012, the authorities used a new kind of pressure on opposition opposition politicians, human rights activists and lawyers, as well as representatives of the independent media – prohibition to leave the Republic of Belarus. This «know-how» was demonstrated for the first time in March, and the authorities did not hide their intentions to restrict the freedom of movement of citizens for political reasons. On 21 March this was confirmed in an interview, given by Aliaksandr Lukashenka to the TV channel «Russia Today». Being asked whether a list of the persons who were prohibited to travel abroad, was created, Lukashenka answered: «Yes, we have composed it, but haven't enforced to the full scale yet. However, we will do it.» He accused the opposition of inciting the West to the imposition of sanctions against Belarusian officials, business people and companies: «This is them who give to the West the names, organizations and companies, and insist on imposing economic sanctions. This is them.»

All in all, there is information about 17 surnames in the unofficial «black list». Among them there were seven politicians – a representative of the organizing committee of the «Belarusian Movement» party Viktar Ivashkevich, the head of the «Fair World» party Siarhei Kaliakin, the coordinator of the civil initiative «For Fair Elections» Viktar Karniayenka, the head of the United Civil Party Anatol Liabedzka, the head of the Supreme Soviet of the 12th Convocation Stanislau Shushkevich, the deputy head of the «Fair World» Valery Ukhnaliou, a representative of the organizing committee of the «Belarusian Movement» party Vintsuk Viachorka; five human rights defenders – the head of the informational-educational institution «Platform» Andrei Bandarenka; the head of the Belarusian Helsinki Committee Aleh Hulak, a lawyer of the Belarusian Helsinki Committee Hary Pahaniaila, the deputy head of the Human Rights Center «Viasna» Valiantsin Stefanovich and the head of the «Legal Assistance to Population» Aleh Volchak; three journalists – the chief editor of «Nasha Niva» weekly Andrei Dynko, the head of the Belarusian Association of Journalists Zhana Litvina; and a counsel from the Minsk City Bar Association, Maryna Kavaleuskaya.

Their inquiries to the Department of Citizenship and Migration revealed the real reasons for the travel bans and confirmed their unlawfulness. In particular, 38-year-old Andrei Dynko – senior lieutenant in the reserve, was prohibited to travel abroad for «evasion from measures connected to the military draft – a juridical nonsense! The travel bans for Valiantsin Stefanovich (served in the army in 1990-1992), Andrei Bandarenka (a military officer in the reserve) and Maryna Kavalenka (not subject to military draft according to the present legislation) were imposed for the same reasons.

Another absurd reason was a mythical case of 5 Marhc, according to which some public activists were «debtors who didn't return loans» or «were defendants in civil proceedings». These reasons were used to prohibit foreign travels to Aleh Hulak, Zhana Litvina and Hary Pahaniaila.

The deliberate and purposeful nature of this action is witnessed by the fact that all appeals to courts against such actions of the state agencies which restricted the right to movement (the Ministry of Internal Affairs, the Ministry of Justice and the Ministry of Defense) were considered by the courts with 2-5 month delays from the date of filing, which is a flagrant violation of the Code of Civil Procedure (complaints arising from administrative legal relations are considered within a month from the date of filing). The courts started considering the complaints only in July. All proceedings were held according to one scenario: the lawsuits weren't granted as there was no guilt of the state agencies in this situation (everything was explained with «technical failures», as a result of which the aforementioned persons had been put on the list of restricted for foreign travels), and an officer of the Citizenship and Migration Department brought notices about the annulment of the travel bans. Thus, the foreign travel restrictions against all figurants of the «black list» were removed by the end of October.

This situation once again clearly demonstrated that there are no effective legal mechanisms to protect human rights in Belarus, and the judicial system is highly dependent on the executive power. That's why human rights organizations in Belarus and professional legal community were deprived of the possibility to render qualified legal aid to citizens on the national level, especially in if the cases had great publicity or had a clear political motivation behind them.

Human rights organizations also suffered from pressurization. None of the actions of solidarity with the prisoners at the head of the Human Rights Center «Viasna» Ales Bialiatski and other political prisoners, planned by human rights activists across the country, were authorized. Various forms of harassment of human rights defenders were used: forceful abduction and arbitrary detentions (Alena Krasouskaya-Kaspiarovich), summons to the KGB (Tatsiana Reviaka), setting up preventive supervision at the KGB (Andrei Bandarenka), administrative proceedings (Aleh Volchak), closure of organizations («Platform»), financial review by the tax inspection (Tatsiana Reviaka, Leanid Sudalenka, Aleh Volchak), unlawful restrictions on foreign travels (Andrei Bandarenka, Aleh Hulak, Hary Pahaniaila, Valiantsin Stefanovich and Aleh Volchak). In November 2012, the apartment where

the central office of the Human Rights Center «Viasna» had operated for 12 years, was confiscated on verdict in the criminal case of Ales Bialiatski. However, even in such extremely unfavorable conditions the human rights defenders of Belarus continue their activities, including at the international level, with the maximum use of the available international mechanisms of human rights protection.

Unfortunately, international remedies are not effective due to their complete ignorance on the part of state. This is particularly true of the UN system. During 2012 the Belarusian Foreign Ministry, repeatedly stressed in its comments on individual complaints of Belarusian citizens to the UN HRC that Belarus refused from any communication with the HRC on them. Not a single opinion of the Human Rights Committee on individual applications of citizens of Belarus was implemented by the authorities. Thus, the government deprived citizens of effective remedies and redress, which actually puts do doubt the First Optional Protocol to the International Covenant on Civil and Political Rights and the UN Human Rights Committee, ratified by Belarus.

A striking example of ignoring the international obligations of Belarus under the UN was the execution of the death sentence to Dzmitry Kanavalau and Uladzislau Kavaliou, issued by the Supreme Court on 30 November 2011. Despite the demands of the UN HRC to suspend the execution of the death verdict as long as the individual application of Kavaliou was pending at the Committee, the both convicts were executed, and on 16 March 2012 their relatives were officially informed about it by the Supreme Court. It should be noted that Belarus doesn't comply with the decisions of the UN Human Rights Committee concerning the passing of the bodies of executed to their relatives for burial. Such treatment of the families was recognized by the UN HRC as a violation of Art. 17 of the International Covenant on Civil and Political Rights amounting to torture, cruel and inhuman treatment.

An important event in the context of the lack of cooperation of the official Minsk with the UN was introduction of the position of special rapporteur on Belarus by resolution of the Human Rights Council of 5 July 2012. The resolution was a call to the Belarusian authorities to «immediately and unconditionally release all political prisoners,» to conduct «a full and transparent investigation into all allegations of torture and ill-treatment of political prisoners,» «immediately stop the practice of administrative detention of the opposition, civil society, journalists and human rights and not interfere with their free movement, including travel outside the country. « Official

Minsk also called for implementation of all recommendations contained in the report of the UN High Commissioner for Human Rights on the situation in Belarus, which was presented at the session on 27-28 June 2012. However, the official Minsk said it not to recognize the mandate of the UN Special Rapporteur (Miklos Haraszti was elected to this position). Thus, the Permanent Representative of Belarus to the UN in Geneva Mikhail Khvastou accused the European Union, which initiated the mandate of the Special Rapporteur, in the political motivation of the decision, saying: «The motives of the EU initiative are in no way related to human rights. This is the way the EU promotes in the Council its political agenda and makes the High Commissioner act for that purpose. The main task put by the EU for this mandate is deliberate anti-government activities in Belarus under the guise of the United Nations.»

Human rights organizations in the country, including the Human Rights Center «Viasna», conducted a wide international lobbying campaign aimed at the introduction of the institution of the UN and began cooperation with the Special Rapporteur.

The issue of respect to human rights in Belarus, and particularly the problem of political prisoners in 2012, was caught in the center of international attention and was repeatedly reflected in numerous resolutions and declarations of some senior EU officials, PACE, MEPs, the U.S. Congress, the UN Human Rights Council and usch international human rights organizations as FIDH, Amnesty International, Human Rights Watch and others.

During the year, the relations between Belarus and the EU remained difficult. On 27 February sitting in Brussels the EU Foreign Council extended visa and financial sanctions against individuals and entities Belarus involved in violations of fundamental rights and freedoms. The next day, on 28 February, the Belarusian MFA suggested Head of the European Commission Maira Mora and the Ambassador of Poland Leszek Szerepka to go to their capitals for consultations, to «inform their leadership about the firm position of Belarus concerning the inadmissibility of pressure and sanctions.» It was also stated that «the Belarusian side to close the entry to Belarus to the EU officials who contributed to the introduction of the restrictive measures». The same evening Brussels announced the recall of all EU ambassadors from Belarus «as a sign of solidarity and unity». Belarus hasn't seen such diplomatic crises since the «Drazdy incident». The conflict on the diplomatic level continued with the closure of the Swedish Embassy and the expulsion of the ambassador of Sweden after the so-called «teddy Troopers» (the

action of Swedish democracy advocates, who «bombed» the Belarusian territory with teddy bears holding slogans calling for respect for human rights, by which the air space of Belarus was violated). The EU ambassadors returned some time after the incident, whereas the Embassy of Sweden has not resumed its work in Belarus.

The EU Foreign Council also extended its sanctions on 23 March, referring to the absence of positive steps on the part of the Belarusian authorities: visa restrictions were introduced against 12 more persons, including judges, prosecutors and businessmen whom EU considered as involved in human rights violations and repression of the opposition and civil society in Belarus, or as direct beneficiaries of the current regime. The sanctions were also applied to 29 companies belonging to such beneficiaries. «The actions of the European Union should urge the Belarusian authorities to release political prisoners and the realize need to return to the path of constructive relations with the member countries of the EU», said the EU High Representative for Foreign Affairs and Security Policy Catherine Ashton.

At the end of the year as a result of a certain stabilization of repression the EU decided to extend the restrictive measures in the same amount, without the extension, trying not to deepen the political confrontation with the Belarusian side, but at the same time fixing the position of principle: «Given that not all political prisoners were released and none of the liberated ones were rehabilitated, and the situation with respect for human rights, rule of law and democratic principles has not improved, the parliament will continue to effect the restrictive measures until 31 October 2013», is noted in the comments to the agenda of the meeting, issued by the press service of the EU Council. The European Union expressed its intention to periodically review the restrictive measures against Belarus, depending on how the situation will develop in the country, as well as «to demand that all political prisoners were released and rehabilitated.»

In September, the elections to the House of Representatives were held in Belarus and passed amid the lack of interest in them among the population. The electoral process was very predictable from its very beginning for all subjects who were involved in it. Pro-government candidates knew they would be members of the parliament, and opposition candidates – that they wouldn't become MPs irrespective of any efforts put in the electoral campaign. The elections have once again demonstrated that there is no fully public and competitive politics, and the electoral campaign itself has long

ceased to be a form of democracy, a means of participation of citizens in the governance of their country.

After the end of the parliamentary elections, which were not recognized by the OSCE ODIHR as corresponding to the standards of free and democratic elections, two political prisoners (S. Kavalenka and P. Syramalotau) were released. At the same time, some officials (including Lukashenka) started speaking about the need to reform the state apparatus. However, year 2012 saw no major developments, and instead of the full political and economic reforms aimed at modernizing the present state system, the authorities showed the approaches whose inefficiency was proved back in the days of the Soviet administrative management model.

2012 can be characterized as a time of political and economic stagnation of the country, which retracts the development of Belarus, making it non-competitive in today's global environment. The lack of free elections and self-government and country leader's stay at power for 18 successive years, the further preservation of authoritarian administrative system, the lack of political competition, the inability to exercise their rights and protect them – all this makes the Belarusian society oppressed and dumb.

Review-Chronicle of Human Rights Violations in Belarus in January 2012

In January the human rights situation in Belarus remained critical. 15 prisoners convicted for their political and social activities remained behind bars. The appellate court left in force the verdict to the head of the Human Rights Center «Viasna» Ales Bialiatski. It became known that torture and ill-treatment were used towards another political prisoner, former presidential candidate Andrei Sannikau, with the aim to make him apply to the head of the state for pardon. As a result, he filed such a petition. Political prisoners Mikalai Autukhovich and Mikalai Statkevich were tried for alleged violations of the prison regime. As a result, the conditions of their imprisonment were toughened.

Administrative harassment, arrests and fines were used against social and political activists. Human rights defender Aleh Volchak and journalist Aliaksandr Barazenka were sentenced to arrest. Meanwhile, the latter was detained while performing his professional duties.

A further restriction of rights to peaceful assembly, association and speech was observed. The Belarusian Christian Democracy Party received the fourth registration denial. Mahiliou Human Rights Center faced the danger of termination. Local executive organs continued banning peaceful street actions on trumped-up grounds all over the country. The possibilities of expression and dissemination of information remained restricted. Cases of Internet censorship were registered, as well as detention and punishment of those who spread editions with alternative information.

Politically motivated criminal prosecution

On 12 January Shklou District Court toughened the prison regime for Mikalai Statkevich for the next three years, allegedly for violations of the prison rules. In December Mikalai Statkevich was placed to a penal cell as some “unregistered” handkerchiefs were found among his belongings. Then he was punished thrice more for the absence of an individual nameplate during his stay in the penal cell. The real reason for such pressurization is his refusal to write a pardon petition for A. Lukashenka. After the trial Mr. Statkevich was immediately transferred from the penal colony in Shklou

to Mahiliou prison and placed in a penal cell, allegedly for some violations he had committed during his stay in the colony. Bear in mind that in May 2011 Mikalai Statkevich was sentenced to 6 years in high-security prison for participation in the protest rally against the rigged election on 19 December 2010.

On 17 January Mikalai Autukhovich was tried in penal colony #5 in Ivatsevichy. As a result, the prisoner was found guilty of malignant violation of the prison regime. Ivatsevichy District Court ruled that Autukhovich was to spend the rest of his sentence, 2 years and 3 months, in prison cell. Bear in mind that in May 2010 Mr. Autukhovich had been sentenced to 5 years and 2 months in high-security prison for transportation and storage of five fire-cartridges for a hunting rifle. At the end of the month Autukhovich was transferred to prison #1 in Hrodna.

On 24 January the investigations in the criminal case of a member of the Conservative-Christian Party Belarusian Popular Front Siarhei Kavalenka, charged under article 415 «Evasion of punishment», came to an end. The matter is that in May 2010 Siarhei Kavalenka had been sentenced to three years of personal restraint without direction to an open penitentiary institution under Part 1, Article 339 of the Criminal Code (intentional actions grossly violating public order) and Part 2 of Article 363 (resistance to law enforcement officials in the performance of official duties) for hanging out a white-red-white flag on the top of the main New Year Tree in Vitsebsk. The "evasion case" will be considered by Alena Zhuk, Judge of Pershamaiski District Court of Vitsebsk. Siarhei Kavalenka had been keeping a hunger-strike of protest in the remand prison since 19 December 2011 and had been subject to forced feeding since mid-January.

On 31 January it became known that the Supreme Court of Belarus upheld the verdict to the co-head of the organizing committee of the Belarusian Christian Democracy Party Pavel Seviarynets – three years of personal restraint for participation in the peaceful rally against the rigged presidential election on 19 December 2010.

On 31 January the Human Rights Center "Viasna" published a list of political prisoners in Belarus. According to this list, there were 15 political prisoners: Ihar Alinevich, Mikalai Autukhovich, Dzmitry Bandarenka, Ales Bialiatski, Zmitser Dashkevich, Mikalai Dziadok, Aliaksandr Frantskevich, Siarhei Kavalenka, Eduard Lobau, Artsiom Prakapenka, Andrei Sannikau, Pavel Seviarynets, Mikalai Statkevich, Pavel Syramalotau and Yauhen Vasko-

vich. As it was stated in the list, though offenses were really committed by Prakapenka, Syramalotau and Vaskovich, the qualification of their actions is unfair and the imposed penalty is disproportionately severe.

Harassment and pressurization of human rights activists and organizations

On 24 January Minsk City Court upheld the verdict to the head of the Human Rights Center «Viasna», vice-president of the International Federation for Human Rights (FIDH) Ales Bialiatski who had been sentenced to 4.5 years in high-security prison with confiscation of property for «concealment of income on a large scale «(Article 243, Part 2, Criminal Code). The verdict of the Judicial Board was announced by Judge Uladzimir Stsiapurka, the prosecution was represented by Kiryl Chubkavets.

Only two out of the eight motions entered by Bialiatski's lawyer were granted: the attachment of the receipt concerning the transfer of the compensation of the whole sum of the damage allegedly inflicted to the state by A. Bialiatski to the state (757,526,717 Belarusian rubles, about 70,000 Euros) and documents about the purchase of property by Bialiatski. One of the declined motions was the lawyer's proposal to make a court inquiry to the organizations which had transferred finances to Bialiatski's accounts, with the aim to find about the purposes of the transfers and the use of the money. This circumstance, as well as paying no attention to the compensation for the sum of the damage stated by the court of the first instance, eloquently demonstrated the political motivation of the court verdict and the prosecution of Ales Bialiatski.

The family of the human rights defender expressed a deep gratitude to the people who helped in raising funds which were transferred to the court account several days before the trial as compensation of the alleged damage inflicted to the state by Ales Bialiatski.

Minsk branch of the HRC «Viasna» faced the threat of losing its office, which was officially Ales Bialiatski's property and was to be confiscated according to the court verdict.

Statements of protest in the case of Ales Bialiatski were made by the Observatory for the Protection of Human Rights Defenders (which declared the conviction of Ales Bialiatski to be prosecution for human rights legal advocacy), the President of the European Parliament Martin Schulz, the

OSCE chairman Ayman Gilmour, the French Foreign Ministry, the Human Rights House Network (70 NGOs from 15 countries) and others.

Bear in mind that the criminal case against Ales Bialiatski was based on information provided to the Belarusian authorities by the Ministry of Justice of Lithuania and the Prosecutor General of Poland concerning the bank accounts opened in these countries by Ales Bialiatski in order to receive financing for activities of the HRC «Viasna». Belarusian authorities considered the money on the accounts as his personal income and accused him of concealing assets.

The Lithuanian Ministry of Justice also presented to the Belarusian authorities information about the funds on the account of the vice-head of the Human Rights Center «Viasna» Valiantsin Stefanovich. On 16 December 2011 Partyzanski District Court of Minsk court issued a decision on exaction of 54,357,370 Belarusian rubles as income tax and 2,717,870 rubles as the court fee. On 19 January 2012 Mr. Stefanovich filed an appeal against the verdict to Minsk City Court.

On 26 January it became known that Mahiliou Human Rights Center could cease to exist as the local authorities were creating unbearable financial conditions for it. In particular, they imposed arbitrary standards, according to which the governing bodies consisting of at least three people need at least 18 square meters of office space for their work. The office rent proposed by the authorities (without public utilities fees) is about 2 million rubles (about $240). Other offices, proposed by the authorities, have even larger space. The head of Mahiliou Human Rights Center Uladzimir Krauchanka states that the authorities didn't succeed in stopping the center's activities by any other means. Mahiliou Human Rights Center was the only human rights organization officially registered with the state in Mahiliou.

On 30 January the head of the human rights organization «Legal Assistance to Population» Aleh Volchak was sentenced to four days of administrative arrest by Judge of Tsentralny District Court of Minsk Yakunchykhin on charges of using foul language on the street (Article 17.1 of the Code of Administrative Offenses, «disorderly conduct»). Aleh Volchak, who denied the use of foul language, was convicted on the basis of testimony given by the deputy head of Tsentralny District Police Department of Minsk, Anton Shakhlai. Mr. Volchak was detained on 27 January and spent three days in the delinquents' isolation center in Akrestsin Street before the trial. The arrest of Aleh Volchak was aimed at sanctioning his human rights activities.

In particular, several days before the trial he spread his report on the trial of Ales Bialiatski and conclusions concerning the trial of the persons who were sentenced to death on charges of committing a terrorist act in Minsk.

Torture and cruel treatment, poor conditions of detention

On 10 January Brest Region Procusecutor's Office refused to instigate criminal case on abuse of Mikalai Autukhovich, noting that no evidence of systemic humiliation of his personal dignity or forcing to suicide by the colony administration was found during the inspection. The application for the instigation of the criminal case was filed by Autukhovich's former lawyer, Pavel Sapelka, after receiving information that Autukhovich, driven to desperation by the lawlessness of the colony's administration, cut his veins. The investigation cast doubt concerning the explanations given by Mikalai Autukhovich during a questioning: «Autukhovich explained that on 11 December 2011 he, using a disposable blade, really made lacerations on the forearms of both hands, but this was due to the fact that the prison authorities allegedly engaged in the concealment of beating of prisoners by the head of economical unit #13, Uladzimir Prakapovich. However, Autukhovich didn't tell the concrete circumstances of the beating and concrete surnames of the beaten." It was also stated that other prisoners and Prakapovich didn't confirm the use of violence. The investigation suggested that the «cutting of forearms by Autukhovich was not a suicide attempt,» and this fact «was an act of self-harm in connection with a protest with requirements established by order of punishment imposed on the administration of the correctional institution on prisoners.»

On 25 January the wife of political prisoner and former presidential candidate Andrei Sannikau Iryna Khalip convened an emergency press conference. This happened the day after meeting with her husband, from whom in the past three months there was no information: lawyers and relatives were not allowed to visit him and received no letters. According to I. Khalip, the political prisoner looked as if passed through the Stalinist camps. A. Sannikau told his wife that he had signed a petition for pardon in the name of Aliaksandr Lukashenka back in December 2010. According to Iryna, the petition was «knocked out» from the prisoner by real torture and threats against the family. «Andrei could not talk about what happened to him during the last three months. He was only able to say: «My imprisonment ended in September. Then came the torture.» Bear in mind that in September the prisoner was transferred from Navapolatsk colony to Vitsebsk colony, then – to Mahiliou colony, and then – to "Vitsba-3" colony. Three

hours after the press-conference the Ministry of Internal Affairs stated that Sannikau had filed the petition for clemency on 23 December (the day of Lukashenka's press-conference at which he alleged knowing nothing about the petition), and it got to the Department of Citizenship and Pardons of the Presidential Administration only a month later, on 23 January 2012, together with other documents.

The Human Rights Center «Viasna» issued a statement of protest against the torture, threats, blackmail and other unacceptable methods of pressure and influence on political prisoners. On 30 January the Belarusian Helsinki Committee addressed the Office Prosecutor General to verify the information on torture of Andrei Sannikau, voiced by the wife of the former presidential candidate, and take necessary measures. Sannikau's companions submitted information about the torture of the prisoner to the UN Committee against Torture for the immediate response of the international body.

On 27 January it became known that political prisoners Mikalai Dziadok and Aliaksandr Frantskevich were deprived of short-term meetings with their families as a disciplinary penalty.

According to Mikalai's father, Aliaksandr Dziadok, he was punished in such a way for holding his hands in his pockets, which was considered as a challenge to the prison administration. He was also deprived of the right to use the prison shop and receive parcels.

Aliaksandr Frantskevich's mother believes that the disciplinary penalty was issued to her son to deprive him of the opportunity to apply for softening of the penalty in March. The prisoner had no admonitions before this.

On 30 January the prison regime was toughened for political prisoner Dzmitry Bandarenka, kept in penal colony #15 in Mahiliou: it is forbidden for him to use the crutch on which he relied when walking. «He is not allowed to wear the soft comfortable shoes which I passed to him," said the wife of the politician. "Now he will have to bend over to put the tight prison shoes on. It is forbidden to him to lie down during the day – he must go out and stand in line during the morning check-ups. He was also prescribed to do some light kinds of work." Dzmitry Bandarenka had been sentenced to 2 years of imprisonment. His chronic illnesses exacerbated immediately after his arrest in December 2010. In July 2011 he underwent spinal surgery in clinical hospital #5 of Minsk.

Death penalty

On 27 January the Prosecutor General of Belarus Aliaksandr Kaniuk stated that one of the persons sentenced to death for committing a terrorist act in the Minsk Metro in April 2011 – 25-year-old Dzmitry Kanavalaiu, declared the death verdict legitimate and refused to file a petition for clemency. According to the Prosecutor General, Kanavalau had stated it back on 19 December 2011 to members of the special commission. According to Prosecutor General, Kanavalau was twice reminded about the opportunity to file such a petition, but refused to use this right. Another figurant of the case, Uladzislau Kavaliou, who was also sentenced to death, filed a petition for clemency on 7 December 2011.

On 30 January the EU MEPs from Laima Andrykeyne (Lithuania) and Eduard Kukan, former Minister of Foreign Affairs of Slovakia, came up with the demand to abolish the death penalty to Dzmitry Kanavalau and Uladzislau Kavaliou, and introduce a moratorium on executions in Belarus. According to the MEPs, the court did not prove the guilt of Dzmitry Kanavalau and Uladzislau Kavaliou. Andrykeyne and Kukan made their statement after a meeting with Liubou Kavaliova, the mother of one of the death convicts, in the European Parliament in Brussels.

Administrative prosecution of social and political activists

On 2 January, Maskouski District Court of Minsk fined civil activists Viktoryia Rymashkevich and Anastasiya Shuleika. The girls had been detained on 31 December, while meeting the people who had been released after serving arrest for participation in a peaceful rally on 19 December 2011, marking the anniversary of the protests against the rigging of the presidential election. They were kept in a remand prison before the trial. Rymashkevich's case was considered by Judge Sviatlana Bandarenka, Shuleika's case – by Judge Viktar Kozak.

On 2 January, Maskouski District Court sentenced to 7 days of arrest activist of the campaign «Speak the Truth,» Pavel Vinahradau who had been arrested on 30 December at Maskouski District Police Department where he was summoned for a “talk”.

Kastrychnitski District Court of Minsk considered an administrative case against activist of the «Student Council» Ales Krot who was arrested on the morning of 31 December on charges of “disorderly conduct”, Article 17.1 of the Code of Administrative Offenses. The trial was postponed.

On 5 January activist of the Movement «For Freedom» Ian Melnikau was arrested by police. Leninski District Court of Minsk sentenced him to 15 days of arrest under Article 17.1 and violation of rules of urban maintenance (Article 21.14 of the Code of Administrative Offenses). The activist was arrested for distributing leaflets of the campaign no «Fear not!» in the metro.

On 5 January Siarhei Bandarenka, Judge of Pershamaiski District Court of Minsk, having considered the documents filed by the head of Pershamaiski District Police Department of Minsk, established a preventive supervision for 12 months over former Vasil Parfiankou, as the former political prisoner «did not mend his ways" after having been pardoned by Presidential decree and released from penal colony #8 where he was to have served 4 years for participation in the peaceful post-election protests of 19 December 2010. As a result, Mr. Parfiankou was put on a "prophylaxis register" of Pershamaiski District Police Department of Minsk.

On 8 January activist of the «European Belarus» Mikita Kavalenka unfurled white-red-white flags and portraits of political prisoners near the Minsk KGB office. The action lasted less than a minute. Some people in civvies went out of the building and detained him. On 9 January Mikita Kavalenka was sentenced to 15 days of arrest by Judge of Tsentralny District Court of Minsk Khadanovich for participation in unauthorized mass action (Article 23.34 of the Code of Administrative Offenses). Journalist Aliaksandr Barazenka, who was videoing the action, was detained together with Mikita Kavalenka.

On 11 January Alena Tsalkova, Judge of the Tsentralny District Court of Minsk, took the decision to terminate the administrative proceedings against Uladzimir Niapomnyashchykh for «foul language» (Article 17.1 of the CAO) due to lack of evidence of his guilt. The police witnesses could not prove that the activist of the United Civil Party and the Movement «For Freedom», retired police officer, really used obscene language in public. It was the first time when such charges weren't "proved" at court. Bear in mind that the activist had been detained by the police on 7 October 2011, on the eve of the People's Assembly, for posting leaflets with invitations to this event.

On 12 January the administrative trial of Siarhei Kavalenka ended at Pershamaiski District Court of Vitsebsk. The defendant was found guilty of "disorderly conduct". Judge Volha Ivanova fined him 140,000 rubles (about $17) for the alleged use of obscene language towards officers of

the Inspection of Corrections. At the time of the penalty Siarhei Kavalenka has been kept in the remand prison for more than three weeks on charges under Article 415 of the Criminal Code, «evasion of punishment”.

On 17 January H.Hunou, Judge of Minsk Region Court, upheld the verdict to Mikalai Illiushonak. On 12 December 2011 the activist had been fined 425,000 rubles (about $51) for the organization of an unauthorized mass event which allegedly manifested in collecting signatures in support of the People's Assembly.

On 27 January Vitsebsk resident Pyotr Ivanov, a Russian citizen, representative of the party «United Russia» and activist of the campaign «Speak the Truth» was fined 70,000 rubles (about $ 8) for allegedly using obscene language. In fact, he had been detained on 6 January for handing out leaflets calling for solidarity with Siarhei Kavalenka.

Restrictions on freedom of speech

On 6 January Salihorsk users of services of the mobile operator “BelCel”(trade mark DIALLOG ™) stated about illegal blocking of independent websites by this provider. They applied to the tech support department, whose workers admitted the blockade and promised to remove it. However, it was done only after threats of legal action, because the according to the Belarusian legislation web content for private individuals can be filtered only on their request, whereas unauthorized blocking of websites is illegal.

On 6 January the editor and publisher of the samizdat newspaper «Kryvinka» Heorhi Stankevich was fined 1,400,000 rubles (about $168) for the violation of the order of distribution of publications. The verdict was issued by Judge Volha Belavus. Heorhi Stankevich had been detained on 5 November 2011. The trial lasted for more than 2 months. The judge had to return the initial police report for revision due to some mistakes, which delayed the court hearings. The administrative case against Mr. Stankevich was initiated on the basis of an anonymous complaint about the alleged unlawful distribution of “Kryvinka”: two housewives allegedly found the newspaper in their post-boxes and were very indignant at it.

On 9 January Aliaksandr Barazenka, the journalist who filmed the 8 January action near Minsk KGB Department, was sentenced to 11 days of arrest under Article 23.34 of the Code of Administrative Offenses by Ivan Maiseichyk, Judge of Tsentralny District Court of Minsk. The verdict was

issued despite the fact that Mr. Barazenka was implementing his professional duty as a journalist.

In the night of 13-14 January the road police detained a car with the circulation of the private edition “Vitebskiy Kuryer” not far from Vitsebsk. 10,000 copies of the newspaper were taken for examination. The issue contained the article «Six facts in the case of Ales Bialiatski which aren't publicized by Belarusian TV and «Sovetskaya Belorussiya»”. The newspaper is registered as a Russian edition and is printed in Smolensk, but distributed in Vitsebsk.

On 17 January the organizers of the conference «Business Internet» in Homel yielded to the pressure of the local authorities and banned the founder of the most popular Homel news site, odsgomel.org, Piotr Kuzniatsou, from taking part in the event. At first he was invited to read his report «Growth in demand for local news on the example of the Homel region”. However, a few days before the event the organizers told Piotr Kuzniatsou they had to cancel the invitation due to the pressure of the authorities.

On 30 January the Hrodna reporter of Radio “Racyja” Hrazhyna Shalkevich was summoned to Hrodna Regional KGB Department. She was asked mostly about last year's «silent protest» campaign, during one of which she had been arrested and fined as a participant. She was also warned about the possible punishment for working with a foreign media without accreditation, and for discredit of the Republic of Belarus and insult of the president.

Restrictions on freedom of assembly

On 12 January Siarhei Shytsikau, Judge of Tsentralny District of Homel, dismissed the appeal of Homel human rights defenders Anatol Paplauny and Leanid Sudalenka against the refusal of Mahiliou City Executive Committee to authorize the picket they intended to hold on Paustanne Square on 10 December 2011, the Human Rights Day.

On 13 January, Salihorsk Executive Committee refused to authorize a rally in support of Christian values. The official reason for the refusal is that the application didn't meet the requirements of Article 2 of the Law “On Mass Events” and the grounding for the refusal was ruling #3817, adopted by Salihorsk City Executive Committee on 30 December 2011. It wasn't explained which requirements of the law were violated by the application. Several days after it, Salihorsk authorities also banned the picket and rally

which were to have been held on 21 and 22 January at the “Budaunik” stadium. The aim of the actions was to demand introduction of amendments to the Electoral Code and holding of free Parliamentary election in 2012. The reason was that a skating rink was being made at the stadium. On 18 January two more public events were banned: a picket in support of political prisoners and meeting to discuss the implementation of decisions of the fourth All-Belarusian Assembly.

On 18 January graduates of the «Educational course on human rights,» summed up the results of the perpetual campaign «Not a day without application in defense of Bialiatski», launched in September 2011 after the arrest of the human rights activist. At that time, Minsk City Executive Committee received 60 applications for the holding of pickets in public places around Minsk. Despite the fact that applications were prepared in accordance with the law, all the pickets were prohibited. The official reasons were standard: holding of other planned events, impossibility to determine the precise place of the action, “the picketing would interfere with the movement of pedestrians and vehicles”, etc. 14 of the received refusals were appealed at Maskouski District Court of Minsk. None of the appeals were granted.

On 19 January, Slonim District Court considered the appeal of the leader of the local branch of the Belarusian Popular Front Ivan Sheha against actions of Slonim District Executive Committee which had consistently banned all actions of solidarity with human rights activist Aliaksandr Bialiatski. Judge Natallia Radzionik dismissed the appeal, arguing that the executive committee was right in all cases.

Mahiliou activists of the Belarusian Leftist Party “Fair World” weren’t allowed to hold a picket against the impoverishment of the population on 27 January. According to the authorities, a mass sports event was to be held at the only authorized place for mass actions, “Khimik” stadium, that day. A similar picket in Orsha was banned as the applicants didn’t mention the place of their work. Orsha City Executive Committee ignored the fact that all of them were pensioners.

Representatives of Brest branch of «Fair World» had to refuse from holding a rally against the impoverishment of the population on 28 January. The rally was approved by the city authorities provided that the organizers would present the service agreements with the police, medics and public utilities. However, it proved to be impossible to conclude all these agreements for a few days before the action. In addition, members of the party found the idea of paying for exercising the right to peaceful assembly and decided to

appeal this provision at court. At the same time, two one-man pickets, appointed on 28 January, were banned in Brest. The authorities of Pinsk and Baranavichy also banned anti-impoverishment pickets on that day.

Situation of freedom of association

On 18 January the civil initiatives “Right to Faith” and “Stop 193.1!» stated the intention to find the state organ which is competent to initiate the repeal of section 193.1 of the Criminal Code, which penalizes actions on behalf of unregistered organizations. The activists sent the appropriate letters to the House of Representatives, the Soviet of the Republic, Presidential Administration, the Soviet of Ministers, the Ministry of Justice, the Supreme Court, the Constitutional Court, the Prosecutor's Office of the Republic of Belarus, as well as to the KGB and other state institutions of the Republic of Belarus.

On 19 January the minister of Justice of Belarus Aleh Slizheuski told journalists that the Belarusian Christian Democracy Party was denied registration. According to him, there were a number of violations in the registration documents, including documents of the constituent assembly and the lists of the party members. At the same time, on 11 January the BCD leaders received a letter from the Ministry of Justice, dated 6 January, with information about the one-month suspension of the registration process due to the necessity of additional verification of the filed documents. On 13 January BCD Executive Secretary Dzianis Sadouski told journalists about the unprecedented pressurization of founders of the BCD party in the regions and the capital of Belarus. According to him, recently there have been registered more than 20 cases of persecution of those who upheld the creation of the party. Bear in mind that the latest constituent assembly of the party was held on 17 December 2011 in Minsk.

On 23 January experts of the Assembly of NGOs and the Center for Legal Transformation presented the monitoring of the legal status of NGOs and the freedom of association in Belarus for 2011. Lawyer of the Executive Bureau of the Assembly of NGOs Yury Chavusau and Director of the Center for Legal Transformation Volha Smalianka noted the deterioration of the legislative conditions for the existence of non-profit organizations in the country. No significant positive changes were registered at the level of law-enforcement practice. The negative tendencies persisted and even increased in a number of cases.

Review-Chronicle of Human Rights Violations in Belarus in February 2012

In February, the absence of positive developments in the field of human rights, especially the unresolved issue of political prisoners was in the center of political relations between the EU and the Belarusian authorities.

The Director of the Department of the European External Action Service Gunnar Wiegand, who visited Minsk on 9 February, said that the EU would not change its policy towards Belarus until political prisoners were kept behind bars. During one of the meetings he noted that as a result of contacts with the official there was some hope that a number of key political prisoners would be freed in the coming weeks. First of all, this could concern the ex-presidential candidate Andrei Sannikau and his colleague Dzmitry Bandarenka, the both of whom had written petitions for clemency. However, there was still no progress in this direction at the end of February.

On the contrary the situation became more tense after the issuance of a politically-motivated conviction (2 years and 1 month imprisonment) to Siarhei Kavalenka, Vitsebsk activist of the Conservative-Christian Party «Belarusian Popular Front» (who was still keeping a hunger-strike of protest), which was perceived as the reluctance to any dialogue.

Giving a clear political message to the Belarusian side, the EU Council adopted a resolution at its sitting on 10 February, increasing the possibility of sanctions against individuals and entities of Belarus involved in violations of fundamental rights and freedoms. Visa and financial sanctions against 19 representatives of the court system of Belarus and 2 police officials were introduced during the sitting of the Council of Foreign Ministers of the EU on 27 February.

The answer of the official Minsk was quick and nervous: the following day, on 28 February, the Foreign Ministry suggested that the head of the European Commission's mission to Belarus Maira Mora and the Ambassador of Poland Leszek Szerepka go to their capitals for consultations in order to «convey to their authorities the tough position of the Belarusian side about the unacceptability of pressure and sanctions». At the same time, the Permanent Representative of Belarus to the European Union Andrei

Yeudachenka and Ambassador of Belarus to Poland Viktar Haisionak were called to Belarus for consultations. It was also stated that «the Belarusian side will close the entry to Belarus to the officials of EU countries who have contributed to the introduction of restrictive measures.» The same evening Brussels announced the revocation of all EU ambassadors from Belarus «as a sign of solidarity and unity».

On 2 March the leaders of the EU countries proved their principled position at a summit in Brussels by calling on the Council of EU Foreign Ministers to continue exercising pressure on the official Minsk. President of the European Council Herman Van Rompuy announced an agreed statement of the summit on Belarus: «The European Council expresses its grave concern at the continued deterioration of the situation in Belarus. It welcomes the decision of the EU Council to extend the list of persons responsible for serious human rights violations and repression of civil society, as well as those who support Lukashenka's regime, or receive benefits from it. to whom visa sanctions and freezing of assets are to be applied.

Thus, February was marked by serious political statements and actions of the EU on issues related to the critical human rights situation in Belarus, sparking fierce opposition of the Belarusian authorities. The Belarusian side not only refused to make any steps to eliminate the causes of conflict, but also demonstrated a will to its further escalation.

Political prisoners. Politically motivated criminal prosecution

15 political prisoners were still kept in jail: Mikalai Autukhovich, Ihar Alinevich, Dzmitry Bandarenka, Ales Bialiatski, Dzmitry Dashkevich, Mikalai Dziadok, Aliaksandr Frantskevich, Siarhei Kavalenka, Eduard Lobau, Artsiom Prakapenka, Andrei Sannikau, Pavel Seviarynets, Mikalai Statkevich, Pavel Syramalotau and Yauhen Vaskovich.

On 1 February Dzmitry Bandarenka filed a petition for clemency. The day before, the conditions of the prison regime were toughened for him despite a recent operation on his spine. In particular, he was deprived of his crutches and special orthopedic shoes. They were returned to him immediately after he wrote the petition. On 15 February the Commission on Parole of Mahiliou penal colony #15 stated it wouldn't recommend releasing Dzmitry Bandarenka on parole. Though Dzmitry Bandarenka had the right to be released on parole, the prison administration refused to do it.

Andrei Sannikau filed a clemency petition as early as 23 November 2011. However, neither he nor Bandarenka were freed as a result. On 8 February Mikalai Samaseika, a member of the Presidential Commission on Pardon pointed out that he still didn't have the relevant documents concerning Sannikau and Bandarenka at his disposal, and that a sitting of the commission usually takes 2-3 days after their receipt. The fact that the commission didn't consider the petitions of A.Sannikau and Dz.Bandarenka by the end of the month witnessed that the decision depended not on the commission, but solely on the president and the results of the political communication between the Belarusian authorities and the European Union.

The political factor could possibly play a considerable role in the situation of human rights defender Ales Bialiatski on political factors, too. On 17 February he was transferred from prison #8 in Zhodzina to remand prison #1 in Valadarski Street, where he was kept for 11 days. Only on 28 February he was transferred to penal colony #2 in Babruisk for serving his term. According to some information, the Belarusian MFA insisted that the liberation of the prisoner would directly depend on the EU decisions on applying sanctions towards Belarus.

On 24 February Alena Zhuk, Judge of Pershamaiski District Court of Minsk, found member of the CCP-BPF Siarhei Kavalenka guilty of evasion of serving punishment of personal restraint (Article 415 of the Criminal Code) and sentenced him to 2 years and 1 month in a minumum security prison (Prosecutor Dzmitry Luhau demanded 2 years and 8 months). Siarhei Kavalenka had been sentenced to personal restraint without direction to an open penitentiary institution for hanging out a white-red-white flag on 7 January 2010 on the main New Year Tree of Vitsebsk. During the present trial, Siarhei Kavalenka was kept in custody, keeping a hunger-strike of protest for almost two months. He didn't stop hungering even after the verdict was announced. On 17 February Siarhei Kavalenka re-married his former wife Alena, with whom they have two children.

On 29 February it became known that Barysau District Prosecutor's Office canceled the order for the termination of criminal proceedings under Article 370 of the Criminal Code, «Insult of state symbols» towards Aliaksandr Malchanau and Andrei Mikalayeuski. The persecution of the youngsters started after 26 October 2011, when state red-green flags of Belarus were covered with paint in the center of Barysau. The criminal proceedings were dropped in the beginning of February due to the lack of evidence. However, Aliaksandr Malchanau was kept in Zhodzina prison on charges of

committing crimes under part 2 of Article 205 of the Criminal Code (theft committed by a group of persons). He and one more person were arrested in Zhodzina in early January 2012 on suspicion of theft of scrap metal from a forging plant.

Harassment and pressurization of human rights defenders

On 13 February, Minsk City Court considered the appeal of the deputy head of the Human Rights Center «Viasna» Valiantsin Stefanovich against the verdict of Partyzanski District of Minsk, issued 16 December 2011 to exact taxes in accordance with a claim filed by Partyzanski District Inspectorate of the Ministry of Taxes and Duties. The panel of judges of Minsk City Court considered the appeal of the human rights defender and left the verdict standing.

On 29 February Valiantsin Stefanovich received two rulings concerning the initiation of executive proceedings by a court for the recovery of the allegedly unpaid income tax, fine and state fee. According to these documents, he was to pay 31,515,540 rubles (about $3,870) of income tax, 22,841,830 rubles (about $2,800)of fine for the failure to pay the taxes, and 2,717,870 rubles (about $333) of the state fee.

The administrative proceedings towards Valiantsin Stefanovich were directly related to the case of the convicted human rights defender Ales Bialiatski and extensive harassment of the Human Rights Center «Viasna» for human rights activities and assistance to political prisoners. The harassment of both Ales Bialiatski and Valiantsin Stefanovich was initiated by the KGB.

The Observatory for the Protection of Human Rights Defenders condemned the rejection of Valiantsin Stefanovich's appeal by Minsk City Court, noting that the amounts which were considered as the «personal income» of the human rights defender had been transferred to his bank account in Lithuania by international organizations such as Amnesty International and the Danish Institute for Human Rights for human rights activities within the framework of the HRC «Viasna».

Torture and cruel treatment, poor conditions of detention

On 22 February political prisoner Dzmitry Dashkevich had a meeting with a lawyer, during which he stated that he was placed to the penal isola-

tor of Hlybokaye penal colony #13 for 10 days for the second time during the month. He didn't manage to tell about the reasons for this action of the prison administration. During the previous meeting with the lawyer, on 17 February, Mr. Dashkevich was also kept in the penal isolator, where he was placed for the refusal to enter a cell where a convict with a low social status was kept. If he agreed, he would have acquired the same low status according to the informal prison rules.

On 29 February Siarhei Kavalenka was transported to prison hospital in Valadarski Street from the remand prison of Vitsebsk. The political prisoner who has been keeping a hunger-strike for more than 2 months lost about 30 kilos and feels very weak. It's hard for him to sit and even to lie down. S. Kavalenka demanded taking him to a civilian hospital, release from jail and acquittal on all charges.

The state of health of political prisoner Zmitser Bandarenka got worse. As he wrote in a letter to his wife, Volha Bandarenka, there had been a great examination at the colony. As a result of a long standing in cold he got a cold and his temperature went up. When he went to the medical department, he was given some medicines. However, at first the doctors refused to leave him at the medical department and did it after the further deterioration of his state.

Death penalty

In early February it became known that the Belarusian government considered as inadmissible the complaint of the death convict Uladzislau Kavaliou, filed with the Human Rights Committee and registered by it on 15 December 2011. According to the Belarusian government, it was unacceptable because it had been filed before exhausting all domestic remedies, since Kavaliou's appeal is pending at the Supreme Court in the exercise of supervision and he also applied for pardon to Aliaksandr Lukashenka. However, the petition for supervisory review is not recognized by international bodies on human rights as a legal means of protecting one's rights because no legal procedures are initiated as a result. Petition for pardon cannot be considered as a means of legal defense, because the decisions taken are motivated not by legal but by moral or humanitarian reasons. In practice, a death convict finds about the denial of his petition for pardon several minutes before the execution, therefore having no legal opportunity to file an individual communication with the UN Human Rights Committee and wait for its registration. That's why the demand of the Belarusian authorities to

«exhaust all national means of remedy» before filing such a communication with the UN was groundless. Uladzislau Kavaliou's mother explained it in her response to the commentaries, given by the Belarusian authorities to the Human Rights Committee in connection with Uladzislau's case.

Liubou Kavaliova also addressed the state bodies which have the right to apply to the Constitutional Court: the Presidential Administration, the Soviet of Ministers, the Supreme Court, the Soviet of the Republic and the Chamber of Representatives. She asked these agencies to submit proposals to the Constitutional Court on supplying the Criminal Executive Code with an article which would provide for the suspension of execution of death sentence in connection with filing an appeal to the UN Human Rights Committee. On 18 February she received an answer from the Presidential Administration, signed by the head of the Department of Citizenship and Pardons Aliaksandr Kisialiou. There it was stated that a complex analysis of the legislation with the participation of competent state agencies was necessary for considering her proposal.

On 27 February relatives of death convict Ihar Mialik stated they hadn't received letters from him for more than a month, though he used to write them every week. They expressed fear that the death sentence could be carried out. Ihar Mialik was sentenced to death by Mahiliou District Court on 14 September 2010 for committing a series of murders, robbery, theft in the criminal group and illegal actions with firearms and ammunition. On 11 February 2011 the Board of the Supreme Court left the sentence unchanged.

On 13 February Valiantsin Stefanovich received an answer from the Presidential Administration to his request to introduce a moratorium on the death penalty (the appeal was sent on 9 December 2011, on the eve of the Human Rights Day). The response states that «the Republic of Belarus has been consistently moving towards limiting the use of the death penalty». «The movement towards exclusion of the death penalty from the criminal penalties can not be the same in different countries of the world. It is impossible to change the historically pre-determined attitudes towards this issue immediately,» reads the reply, signed by the Head of the Department of Citizenship and Pardons Aliaksandr Kisialiou.

On 14 February, President of the European Parliament Martin Schulz addressed Aliaksandr Lukashenka with the request to pardon Uladzislau Kavaliou and Dzmitry Kanavalau who are standing on the death row. We

oppose the death penalty in all circumstances, and call on Belarus, the last country in Europe which uses it, for a moratorium on the death penalty,» - he said.

On 16 February the European Parliament adopted a resolution on the death penalty in Belarus, which condemned the death sentences issued to Kavaliou and Kanavalau and insistently urged Aliaksandr Lukashenka to pardon these persons and introduce a moratorium on death sentences and executions with a view to abolishing the death penalty from the penal system by ratifying the Second Optional Protocol to the International Covenant on Civil and Political Rights, in accordance with international standards.

Administrative prosecution of social and political activists, arbitrary detentions

On 1 February the administrative commission of Maskouski district of Minsk fined under-aged activist of the organizing committee of the Belarusian National-Bolshevik party Uladzislau Lobau 1,050,000 rubles (about $128) for participation in a protest action near the entrance of the Belarusian National State TV and Radio Company, during which three youngsters had emptied a bucket with noodles and scattered around leaflets to protest against the spread of false information by the state media. Lobau's actions were considered as a violation of Article 17.1 of the Code of Administrative Offenses (disorderly conduct).

After 7 p.m. on 8 February police officers wearing masks broke into the house where meetings of the so-called «Litvins' Club» have been held for many years already. They broke the windows in the house when the temperature outdoors was about -20C, though the entrance door was open. 32 participants of a club meeting were detained, including 2 minors. All of them were guarded to Partyzanski District Police Department of Minsk. At first the police stated that the reason for the detention was anonymous information about the storage of drugs in the house, and then – some information about a sect's masses there. All detainees were released in 90 minutes without receiving any charges.

On 11 February activists of «European Belarus» Aliaksandr Tarnahutski, Anatol Zhuletnikau and Uladzimir Dzenisevich were detained while trying to hang out a banner «Freedom to Bialiatski!». The activists were taken to Dziarzhynsk District Police Department. The banner was confiscated, the detainees were questioned and then let go. In early March, Aliaksandr

Tarnahurski and Uladzimir Dzenisevich were fined 700,000 and 350,000 rubles ($86 and $43) under part 2 of Article 21.14 of the Administrative Code (violation of urban maintenance rules).

On 22 February Tatsiana Matyl, Judge of Maskouski District Court of Minsk, sentenced activist of the civil campaign «Tell the Truth!» Pavel Vinahradau to 10 days of arrest under Article 23.34 of the Administrative Code (violation of the order of organizing and holding mass events) for participation in the action «Toys Protest», held near Minsk City Executive Committee on 10 February. Pavel Vinahradau was suddenly arrested after 5 p.m. on 21 February and for a long time about his whereabouts were unknown. The activist was kept at the delinquents' isolation center in Minsk during the night before the trial.

Another activist of «Tell the Truth!», Aliaksandr Artsybashau, was detained at the courthouse while trying to pass foodstuffs to Pavel Vinahradau. He was taken to Maskouski District Police Department to be given charges for participation in the action «Toys Protest». The same day A.Artsybashau was sentenced to 10 days of arrest by Maskouski District Court of Minsk.

After 3 p.m. on 22 February, Vitsebsk District Court considered the administrative cases against the «Young Front» activists Dzmitry Kremianetski, Mikhail Muski, Raman Vasilyeu and Uladzimir Yaromenak and a member of the Belarusian Association of Journalists, Pavel Sitnik (who was the only defendant who came to the trial). All of them had been detained while driving to the trial of Siarhei Kavalenka by Sitnik's car. The court found all defendants guilty of disorderly conduct (Article 17.1 of the Code of Administrative Violations). Mr. Sitnik was fined 105,000 rubles (about $13), while all others were sentenced to 3 days of arrest in absentia.

On 22 February police stopped a car with Orsha activists of the steering committee of the Belarusian Christian Party who were going to Vitsebsk to support Siarhei Kavalenka at the trial. The documents of all passengers were taken away and were returned only three hours later. No charges were given.

On 23 February activists of the coalition «Our Alternative» Dzmitry Karashkou, Andrei Papou and Kanstantsin Zhukouski were detained while holding an anti-alcoholization action near the supermarket «Homel». They were released after 2.5 hours at the Tsentralny District Police Department of Homel. Policemen confiscated from them about 430 copies of anti-alcoholic

leaflets with the inscription «Stop drinking – it's time to become breadwinner and defender of the Fatherland!».

Politically motivated expulsions from educational establishments

On 6 February the activists of «European Belarus» Mikita Kavalenka, Aliaksandr Saldatsenka and Aliaksandr Vialitchanka were expelled from Minsk State Linguistic University (MSLU). Aliaksandr Saldatsenka had been sentenced to 7 days of arrest for participation in an action on 25 October 2011. Aliaksandr Vialitchanka was sentenced to 15 days of arrest after the detention at a street action on 26 October 2011, Mikita Kavalenka was sentenced to 10 days of arrest for participation in that action, and on 8 January – to 5 more days of arrest for participation in another action. Aliaksandr Vialitchanka had also been detained during a protest action near Horki penal colony (where political prisoner Zmitser Dashkevich was serving his prison at the time) and fined 1,050,000 rubles (about $129).

In November 2011 the rector of Minsk State Linguistic University Natallia Baranava had issued the students with official warnings about the inadmissibility of unlawful actions, thereby exceeding her official powers.

On 14 February «Young Front» activist Anastasiya Shuleika learned that she was expelled from the Institute of Journalism of Belarusian State University. Anastasiya has been repeatedly detained for participation in protest actions, which became the reason for the expulsion. In particular, after the first arrest for a rally in support of human rights activist Ales Bialiatski on 25 November 2011, the administration of the institute issued her with a reprimand. During the action of 19 December 2011, dedicated to the anniversary of the tragic events on Nezalezhnasts Square in Minsk, Anastasiya, was detained near the Red Church and fined the following day. She was also detained near the delinquents' isolation center in Akrestsin Street on 31 December 2011 and fined 700,000 rubles (about $86). She also met the New Year in prison cell.

Restrictions on freedom of speech

On 6 February the road police again detained the car of the editor of the private newspaper «Vitsebski Kur'yer», driven by journalist Yuliya Kanapliova. It is the fifth detention for the last months. The police officers asked her to open the trunk, but were refused. The driver demanded the witnesses and

invited a representative of the owner of the car and journalists. The inspection of the car lasted for 4 hours. The police found just one copy of «Vitsebski Kur'yer». Then the journalist was returned her documents and let go.

On 16 February Siarhei Serabro, the editor of the website, «People's News of Vitsebsk» Siarhei Serabro was questioned in the transport police for information about white-red-white flags hanged out on 8 February in solidarity with the imprisoned activist of the Conservative-Christian Party «Belarusian Popular Front» Siarhei Kavalenka. Transport policemen asked the journalist whether he had written an article about it and whether he confirmed it. Mr. Serabro answered that a journalist had a legal right not to disclose the sources of his information unless he testifies at court. By the way, Siarhei Serabro had been detained while taking photos of the flags on 8 February. At first the policemen who detained him demanded that he erased the photos, but failed to provide any legal grounding and had to release the journalist after putting down his personal data.

On 16 February, Hrodna cameraman Mikalai Dziatchenia got a warning from Hrodna Region Prosecutor's Office for work without accreditation for the Polish satellite TV channel «BelSat». According to the prosecutors, some footage from the rally in the town of Svislach which was shown on «BelSat» was made by Mikalai Dziatchenia. This conclusion was made on the basis of the fact that the journalist was present at the action. The procuracy's officers proved their stance by showing him photos, made by unknown officers of law-enforcement agencies. Though the journalist was issued with a warning, the procuracy's officers refused to provide him with a copy of the document.

On 21 February, Hrodna journalist Viktar Parfionenka (who had thrice applied for official accreditation as a journalist for Radio «Racyja» during the last three years) was summonsed to Hrodna Region Prosecutor's Office and issued with an official warning for work without accreditation. While talking with the journalist, the deputy head of the department on supervision over the law abidance Valery Paviadaika mentioned Parfionenka's report of 8 December 2011, dedicated to the celebration of Maksim Bahdanovich's jubilee in Hrodna. Viktar Parfionenka wasn't issued with the text of the warning either, although he demanded to be provided with such a paper. The journalist is going to apply for the accreditation for the fourth time.

On 21 February Hrodna Region Prosecutor's Office issued an official warning to independent journalist Aliaksandr Dzianisau. The conversation

with Dzianisau was also led by Valery Paviadaika. The formal reason for the warning was the journalist's report about the day of commemoration of insurgents of 1863, held in the town of Svislach in late October 2011. The Prosecutor's Office warned Dzianisau for journalist work without accreditation, as he had allegedly shot footage for the «BelSat» TV channel. Mr. Dzianisau responded that such warning is groundless because it is unproven.

On 21 February Alena Hermanovich, a correspondent of BelaPAN, wasn't allowed to attend a seminar on questions of business activity held with the participation of the head of the State Control Committee Aliaksandr Yakabson, the Prosecutor General Aliaksandr Kaniuk and the head of Minsk Regional Executive Committee Aliaksandr Dvornik. The ideologist of the executive committee Volha Rabikava told the journalist to leave the room as she hadn't received a special invitation. The words that a journalist has a legal right to receive and disseminate information and attend official events were ignored by the official.

On 22 February KGB officers invited for an «informal talk» chief editor of the website «Svabodny Rehiyon» Yauhen Parchynski from Navapolatsk. At the meeting they reminded him about the possibility of criminal punishment for «discredit of the Republic of Belarus» in articles, audio and video materials, as well as for violating the law by working without official accreditation.

At about 7 p.m. on 26 February the police detained a volunteer of the civil campaign «Our House», Anna Hadleuskaya, who was handing out the newspaper «Nash Dom Info». The detention was performed by a police officer in plain clothes who called a police patrol after showing his ID card. The detainee was guarded to Kastrychnitski District Police Department of Vitsebsk and charged with illegal distribution of printed editions. The police confiscated from her 430 copies of the newspaper and released her three hours after the detention.

On 27 February, Hrodna Regional Prosecutor's Office also issued a warning to journalist Hrazhyna Shalkevich for work without accreditation for Radio «Racyja». Valery Paviadaika not only refused to provide her with a copy of the document, but even didn't let her put down its content and essence.

On 27 February a man who introduced himself as KGB major Zhukau phoned to the mobile phone of independent journalist Andrei Mialeshka and invited him for a «prophylactic talk». Mr. Mialeshka demanded to be provided with an official summons and said he would come only after receiving such

a document. He was already the fifth Hrodna journalist disturbed by the KGB or the Procuracy those days.

Restrictions on freedom of assembly

By 14 February Salihorsk authorities banned 18 actions since the beginning of the year. The organizers of the actions wanted to express their opinion about the civil and political situation in the country, including the situation of political prisoners and the necessity of their liberation. The applications for the authorization of pickets in Salihorsk on 17, 18 and 19 February were also banned by the head of Salihorsk District Executive Committee Aliaksandr Rymasheuski, who stated that the applicants allegedly failed to attach to their applications written undertakings concerning the organization and the holding of the mass events. Applicant Uladzimir Shyla states that these undertakings were occasionally or intentionally lost by the authorities. At the end of February Uladzimir Shyla received refusals to the applications for five more actions, which he intended to hold at the end of the month. The activist decided to apply to Salihorsk deputies with the demand to provide a real opportunity of exercising the right to freedom of peaceful assemblies in Salihorsk.

In a situation of total prohibition of mass events in Salihorsk, on 24 February social activists and human rights defenders of the city held an informational action against the death penalty. On 29 February one of its participants, Andrei Tychyna, was summonsed to the police because some leaflets against the death penalty had been posted in Salihorsk.

On 20 February it became known that anti-impoverishment pickets were banned in Brest district. Activists of the Belarusian Leftist Party «Fair World» wanted to hold three such actions in the villages of Stradzech and Znamenka and the town of Damachava. The official reason for banning the picket in the village of Stradzech is that the organizers hadn't concluded service agreements with police, medics and public utilities, in the village of Znamenka – that one of the organizers hadn't put down his birthday and in the town of Damachava – that the applicants allegedly violated the legal terms for filing the application.

On 28 February, Hrodna authorities banned human rights defenders Viktar Sazonau and Raman Yurhel from holding a picket in support of political prisoners on 8 March. The ban was signed by the deputy head of Hrodna City Executive Committee Iryna Senchakova. The official reason is that the

organizers allegedly didn't take adequate measures for securing the public order during the action.

On 27 February human rights defenders Anatol Paplauny and Leanid Sudalenka filed a communication with the UN Human Rights Committee. The activists believe that their right to freedom of peaceful assembly and of expression provided for in Articles 19 and 21 of the International Covenant on Civil and Political Rights was violated by the Belarusian authorities. The case concerns the fact that on 22 November 2010 Paplauny and Sudalenka applied to Homel City Executive Committee for permission to hold a rally, timed to the Day of Human Rights. The city authorities didn't authorize the action. This decision was appealed at the district, the regional and the Supreme Court, which sided with the authorities. In their communication with the UN Human Rights Committee the human rights defenders state that Homel authorities determined just one place for opposition's rallies in Homel, though as many as 500,000 people live there. Moreover, according to the appropriate ruling, people must pay for services of police, medics and public utilities in order to exercise their right to peaceful assemblies.

On 23 February a similar communication was filed by Zinaida Shumilina, a member of the United Civil Party from Homel. In February 2011 she and 12 more people applied to Homel authorities for authorization of informational pickets concerning the political persecution of former presidential candidates who were imprisoned after the election. Homel City Executive Committee banned the actions. The district, the regional and the Supreme Courts upheld the decision of the authorities.

Situation of freedom of association

On 3 February the coordinator of the campaign «Right to Faith» Aliaksei Shein and a leader of the Assembly of NGOs, Siarhei Lisichonak, received an answer from the Soviet of the Republic. There it was stated that the legislative body did not see the need to initiate the elimination of Article 193-1 of the Criminal Code (actions on behalf of the unregistered organization). In the letter signed by deputy head of the Standing Committee on Legislation and State Construction L. Marozau it is stated that «Article 193-1 of the Criminal Code, together with other provisions of the Law is a legal means to deal with crimes that violate the constitutional rights and freedoms of citizens as well as order and security in the society. In our opinion, it protects human rights and fundamental freedoms and does not violate international standards of human rights.»

On 10 February, Baranavichy District and City Court found the activist of the Ukrainian diaspora Mikalai Charnavus guilty under Article 23.39 of the Code of Administrative Violation (arbitrary rule during the establishment of a civil association) and fined him 70,000 rubles. Judge Stanislau Pivavar considered as violation the fact that Mr. Charnavus signed his appeals to the Baranavichy City Executive Committee as chairman of «Kobzar», though the organization hadn't been registered with the state by that time. On 16 February 16 Mikalai Charnavus filed an appeal with Brest Regional Court, where he stated that on 24 February 2011 the Constituent Assembly of Baranavichy Ukrainians established the civil association «Kobzar», elected him its chairman and asked him to represent the association during the process of registration and at courts. On 29 February the Brest Region Court granted the appeal of Mikalai Charnavus. This was one of the unexpected and rare cases of restoration of law and justice in the sphere of freedom of association.

Review-Chronicle of Human Rights Violations in Belarus in March 2012

In March, the human rights situation was strongly dependent on the developments in the foreign policy. The unresolved issue of political prisoners increased the confrontation between the Belarusian authorities and the European Union: the reluctance of the official Minsk to eliminate the root cause of the conflict faced a tough and consistent position of the EU.

As a result of the lack of positive developments by 23 March the EU decided to expand the targeted sanctions: visa restrictions were imposed on 12 persons, including judges, prosecutors and businessmen who were either responsible for human rights abuses and repression against the opposition and civil society in Belarus or ware beneficiaries of the current regime. The sanctions were also imposed on 29 companies belonging to such beneficiaries.

«The actions of the European Union must convince the authorities of Belarus of the need to release political prisoners and return to the path of constructive relations with the EU states» – said EU High Representative for Common Foreign and Security Policy Catherine Ashton.

Commenting on the decision of the EU Council, spokesman for the Belarusian Foreign Ministry Andrei Savinykh said: «Such a step further alienates the prospects of normalization of relations and restoration of dialog on sensitive issues for the parties.» Thus, the official Minsk outlined its position concerning the escalation of the conflict.

Still, the fate of political prisoners remained unchanged: all 15 prisoners were still kept in jail. No decisions have been taken concerning the petitions for clemency filed by Andrei Sannikau and Dzmitry Bandarenka. In response to the «list of banned in the European Union» the authorities composed a «list of restricted to leave Belarus,» illegally restricting the freedom of movement of opposition politicians, human rights activists and journalists. Death convicts Uladzislau Kavaliou and Dzmitry Kanavalau were executed with a demonstrative disregard for national and international protection mechanisms. Cases of illegal and arbitrary detentions and arrests of political and public activists with bringing to administrative responsibility for wire-drawn reasons were registered throughout the month. The situation remained un-

satisfactory with respect to freedom of assembly: all applications for holding street actions in Belarus were rejected with the exception of the Freedom Day rally on 25 March in Minsk.

Political prisoners, politically motivated criminal prosecution

The situation of Siarhei Kavalenka, Vitsebsk member of the Conservative-Christian Party Belarusian Popular Front, remained critical, too. Since December, he had been keeping hunger-strike to protest against unjust imprisonment and punishment. After three months of the hunger strike he lost over 30 kilos of weight, his body temperature kept within 35 degrees C. Kavalenka started having problems with the kidneys and became almost immobile. At the end of February he was transferred to Minsk prison #1 in Valadarski Street and forcibly put under a dropper there. In the night of 25-26 March he was transferred to the psychiatric department of the prison hospital with the aim of enforced withdrawal from the hunger-strike. On 30 March the International Federation for Human Rights (FIDH) and Human Rights Center «Viasna» urged the Belarusian authorities to immediately and unconditionally release Siarhei Kavalenka, to stop his prosecution and provide him with the necessary and urgent medical care in an open medical facility. «The Ministry of Internal Affairs of Belarus, at the disposal of which Siarhei Kavalenka is, bears full responsibility for his life and health», noted human rights activists.

On 13 March it became known that the Commission on Presidential Pardon considered the petitions for pardon filed by the former presidential candidate Andrei Sannikau and his electioneering agent Dzmitry Bandarenka. However, a member of the commission Mikalai Samaseika refused to disclose the decision. On 21 March at the site of the Prosecutor General it was reported that an inspection was being conducted concerning some statements in the media that Sannikau had written the clemency petition under pressure. «Now the materials are being carefully studied. After the compilation and preparation of appropriate conclusions, they will be directed to the Pardon Commission under the President of the Republic of Belarus, which will consider them in accordance with its rules of work,» reads the statement. The situation with the consideration of the petitions of Andrei Sannikau and Dzmitry Bandarenka once again reaffirmed that decision on their cases depends solely on the president and the political relations between the official Minsk and the EU.

On 2 March the interdepartmental scientific expert committee had a sitting at the National Scientific and Practical Center of Medical Examination and Rehabilitation in Haradzishcha (the Minsk district). The committee refused to declare Dzmitry Bandarenka disabled despite the difficult state of his health. This means that the prisoner will have to work on an equal footing with other prisoners.

On 5 March, during the discussion of the Annual Report of the Special Rapporteur on the situation of human rights defenders held at the UN Human Rights Council, the authorities of Belarus made an oral statement made concerning the case of Ales Bialiatski. The representative of Belarus said: «We regret to say that the speaker could not discriminate in the case of Aliaksandr Bialiatski, apparently succumbing to stereotypical view, which is spread by particular European institutions and human rights NGOs. The verdict … has nothing to do with the human rights work of Bialiatski and is related exclusively to the breach of tax laws … «

On 22 March Ales Bialiatski was transferred from the quarantine of penal colony #2 in Babruisk, where he was put at the end of February, to a prison brigade, and sent to work in the sewing industry.

On 25 March in Oslo the Norwegian Union of Writers awarded A. Bialiatski with the prize «»For the freedom of speech.» This prize is awarded for special contribution to the protection of freedom of speech and tolerance. The diploma was received by the wife of the imprisoned human rights activist, Natallia Pinchuk.

On 14 March it became known that Dzmitry Dashkevich was placed in solitary confinement in Hlybokaye penal colony for the third consecutive 30-day term, due to «the failure to implement claims of the administration.» Even his lawyer didn't manage to find about the real reasons for imposing the penalty.

In a letter received by a former lawyer Pavel Sapelka, political prisoner Mikalai Autukhovich expressed concern about the spread of untrue information on the Internet concerning his alleged phone call from jail to his mother. According to Mr. Autukhovich, as a result of these publications he and other prisoners were subject to a search which lasted several hours. Autukhovich asked journalists to be more careful while writing about political prisoners not to do harm to them.

The administration of Mahiliou penal colony #15 registered the 7th violation on the part of political prisoner Mikalai Dziadok during his stay in the solitary confinement cell (on 12-17 March). For this he was deprived of the food parcel he could receive in May 2012.

On 15 March Pershamaiski District Court of Minsk established a preventive supervision for a period of 1 year for former political prisoner Uladzimir Yaromenak who had been sentenced to 3 years of jail within the frames of the «mass riot» case and pardoned in August 2011. Preventive surveillance was carried out towards Mr. Yaromenak since his release. After he was thrice punished for participation in mass events, a preventive supervision was established over him.

Death penalty

In the evening of 13 March it was stated on TV that Aliaksandr Lukashenka refused to pardon Uladzislau Kavaliou and Dzmitry Kanavalau, sentenced to death on 30 November 2011 on charges of committing a terrorist act in the Minsk subway on 11 April 2011. The sentence was carried out on 15 March. On 16 March the Supreme Court sent an appropriate notice to relatives of the executed.

The extremely fast execution was in violation of national and international mechanisms of protection, with a demonstrated disregard for national laws and international treaties ratified by the Republic of Belarus.

Dzmitry Kanavalau did not file a supervisory appeal and refused to file a petition for clemency, whereas Uladzislau Kavaliou tried to use all possible means of protection.

On 15 March, the day when the sentence was executed, Kavaliou's lawyer filed the main supervisory complaint. The preliminary supervisory complaint was directed to the Chairman of the Supreme Court on 7 December 2011. There it was stated that the main complaint would be passed too, that's why the lawyer asked to suspend the execution of the sentence till its consideration. However, the appeal was ignored, and therefore it can be argued that the convicted person was deprived of the constitutional right to protection at the national level.

Implementation of the death penalty was another breach of Belarus's international obligations under the International Covenant on Civil and Political Rights and its First Optional Protocol thereto, as far as the Belarusian side has ignored the requirement of the UN Human Rights Committee to

suspend the implementation until consideration on the merits of the individual communication filed by Uladzislau Kavaliou.

On 20 March Aliaksandr Lukashenka, who personally refused to pardon U. Kavaliou and Dz. Kanavalau, stated that he sympathized the families of the shot.

On 22 March Uladzislau Kavaliou's mother sent a letter to Aliaksandr Lukashenka with the request to give her son's body so that she could bury it. As the Belarusian legislation does not provide for such a procedure, a positive decision on this issue is unlikely. On the same day she received by mail a package from the KGB detention center, in which there were her son's things, clothes and even the food which he didn't have time to eat. However, his mother wasn't given the records he was making during the trial and asked the relatives to retain obligatory.

European parliamentarians, the Council of Europe and a number of influential international human rights organizations, including Amnesty International, FIDH and Human Rights House Foundation, strongly condemned the execution of Uladzislau Kavaliou and Dzmitry Kanavalau, demanding that Lukashenka immediately impose a moratorium on the death penalty.

Enforced disappearances

On 28 March Sviatlana Zavadskaya, Siarhei Bakhun and Raman Kisliak made a proposal to the Council of Ministers of Belarus to sign the International Convention for the Protection of All Persons from Enforced Disappearance and to instruct the Minister of Foreign Affairs to introduce the bill to the parliament for its ratification. According to them, the accession to the Convention of Belarus would demonstrate the state's desire to ensure the protection of its citizens against enforced disappearances that took place in the country: On 7 May 1999 a former interior minister Yury Zakharanka was forcibly abducted, on 16 September 1999 it happened to politician Viktar Hanchar and businessman Anatol Krasouski, on 7 July 2000 – to the cameraman of ORT TV channel Dzmitry Zavadski.

Torture and cruel treatment

On 4 March the deputy chairman of the «Young Front» Ivan Shyla was released after serving 19 days of arrest at the delinquents' isolation center in Minsk. During the first day of arrest Ivan suffered from allergy, but his request to call an ambulance were ignored. The local doctor could not help

due to lack of necessary medications. As a result, the skin on Ivan's face got swollen and cracked, and his arms were covered with red spots. The 20-year-old guy also got ill with bronchitis because of the squeeze, high humidity and temperature fluctuations in the prison cell. The medicines he took during the imprisonment didn't help him recover from the illness. There were rats and lice in the cell.

On 27 March activists of «Human Rights Defenders against Torture» addressed the UN Special Rapporteur on torture with a request for an urgent investigation into acts of torture against political prisoner Dzmitry Bandarenka. The authors of the complaint point at the terrible state of health of Mr. Bandarenka after the spine surgery, conducted in September 2011 and the impossibility to carry out the necessary rehabilitation procedures in prison. The complaint listed the cases when Dz. Bandarenka was forced to perform actions which could affect his health and even lead to loss of the ability to move (standing, walking in formation, prolonged sitting and the load on the spine.) The refusal to diagnose Mr. Bandarenka with disability was mentioned, too. The UN Special Rapporteur was sent the appropriate medical records.

On 30 March Alena Dubovik, detained during a concert in the Culture Palace of Minsk Tractor Plant on 24 March and subsequently sentenced to 3 days of arrest, appealed the unlawful use of physical violence by the riot police and the incarceration conditions in the delinquents' isolation center to the prosecutor's office. «Officers of the delinquents' isolation center constantly used obscene language in their talk. On my arrival to the center I was examined by a male officer. I was placed in a cell with 8 people. There were no sleeping places. We weren't provided with bedclothes and mattresses,» she wrote.

Politically motivated restrictions on freedom of movement

Against the backdrop of the deepening political crisis and the deterioration of diplomatic relations between the EU and Belarus, the extension of the list of the Belarusian officials and businessmen who are prohibited to enter the EU countries, the Belarusian authorities resorted to imposing unlawful foreign travel restrictions on a part of oppositional politicians, human rights defenders and journalists.

In his interview to the TV channel «Russia Today» Aliaksandr Lukashenka confirmed that this decision is politically motivated. Being asked whether

such list has been created, Lukashenka answered: «We have composed it, but haven't introduced it yet to the full extent, but will do it». He accused the opposition of inciting the West to impose sanctions against Belarusian officials, businessmen and companies: «It is them who provide the West with the surnames, organizations and enterprises and insist on imposing economic sanctions».

By the end of March there were 15 persons on the list:

Politicians: 1. Viktar Ivashkevich, a representative of the organizing committee of the party «Belarusian Movement»; 2. Siarhei Kaliakin, the head of the Belarusian Leftist Party «Fair World»; 3. Viktar Karniyenka, coordinator of the initiative «For Fair Elections»; 4. Anatol Liabedzka, the head of the United Civil Party; 5. Stanislau Shushkevich, former head of the Supreme Soviet of the 12th convocation; 6. Valery Ukhnaliou, deputy head of the «Fair World» Party 7. Vintsuk Viachorka, a representative of the organizing committee of the party «Belarusian Movement».

Human rights defenders: 1.Andrei Bandarenka, the head of the informational-educational institution «Platform»; 2. Hary Pahaniaila, the lawyer of the Belarusian Helsinki Committee; 3. Aleh Hulak, head of the Belarusian Helsinki Committee; 4. Valiantsin Stefanovich, the deputy head of the Human Rights Center «Viasna»; 5. Aleh Volchak, the head of the «Legal Assistance to Population».

Journalists: 1. Andrei Dynko, the editor-in-chief of «Nasha Niva», 2. Zhanna Litvina, the head of the Belarusian Association of Journalists; 3. Mikhail Yanchuk, a journalist for «BelSat».

At the same time, the deputy head of the Department of Citizenship and Migration of the Ministry of Internal Affairs, Yury Liancheuski denied the political implication of the travel bans while answering questions in his answer to the information agency «Interfax-Zapad». «The law about the entry and exit clearly states who may be restricted to travel. There was no extension in connection with new political or any other reasons», said the official.

It should be noted that on 1 March Pavel Radzivonau, the head of the Department for supervision over the execution of laws and legality of legal acts of the Office of Prosecutor General, stated that foreign travel restrictions could be imposed on the opposition members who called for introducing sanctions against Belarus, while on 12 March he publicly stated that the Office of Prosecutor General had no information about putting representatives of the opposition on the list of restricted to travel abroad.

The first applications to the departments of Citizenship and Migration revealed the true reasons for the foreign travel restrictions. They fully confirmed the opinion that these restrictions weren't based on any laws. For example the 38-year-old Andrei Dynko was a senior lieutenant in the reserve, that's why the stated reason for the limitation of the right to movement - failure to attend the measures connected the call-up to the army – was a legal nonsense. The vice-head of the HRC «Viasna» and the head of the «Platform» Andrei Bandarenka were banned to leave Belarus for the same reason.

Another absurd pretext were civil cases, in which public activists figure either as debtors or defendants. Such cases were used to limit the right to movement for Aleh Hulak and Hary Pahaniaila from the Belarusian Helsinki Committee and the head of the Belarusian Association of Journalists Zhana Litvina.

Administrative prosecution of social and political activists, arbitrary detentions

On 2 March activist of the campaign «Tell the Truth» Aliaksandr Artsybashau was to have been released after 10 days of arrest. However, he was urgently taken to court and received 7 more days of arrest for participation in the action «Horse radish from President». This was accidentally discovered by his friend Mikhail Pashkevich. who was waiting for him near the delinquents' isolation center. Aliaksandr Artsybashau had been detained on 22 February at Maskouski District Court of Minsk and sentenced to 10 days of arrest for taking part in an unsanctioned rally «Toys protest!» in Nezalezhnasts Square in Minsk.

On 10 March Anatol Askerka and Ivan Shutko, detained on 9 March, were tried at Barysau District Court. Judge Herasimovich sentenced Askerka to 15 days of arrest, and Shutko – to 10 days of arrest for holding an action dated to the birthday of political prisoner Andrei Sannikau, 8 March.

On 11 March Ihar Askerka, son of the arrested Anatol Askerka, was detained for standing near Barysau District Court with posters in support of his father and political prisoners. On 12 March Iryna Pasiuk, Judge of Barysau District Court, sentenced him to 10 days of arrest.

On 11 March the trial of «Young Front» activists Zmitser Kramianetski, Mikhas Muski, Raman Vasilyeu and Uladzimir Yaromenak, detained on

7 March, took place. All of them were found guilty under Article 23.34 of the Code of Administrative Offenses (participation in an unauthorized mass event) and sentenced to 15 days of arrest for participation in the 29 February performance near the Belarusian MFA, during which rolls of toilet paper were thrown at the ministry's building.

On 13 March, Maskouski District Court of Minsk sentenced the activist of the campaign «Tell the Truth» Pavel Vinahradau to 7 days of arrest under Article 17.1 of the Code of Administrative Offenses, «disorderly conduct». Vinahradau had been detained on 2 March, on his release from the delinquents' isolation center after a 10-day arrest, and charged with using obscene language near the «Kirmash» shop. The trial started on 5 March, but Vinahradau was released till trial as Judge Khatkevich sent the police report back to Maskouski District Police Department, for a review.

On 16 March, Savetski District Court of Minsk sentenced the activist of «Zmena» Uladzimir Bachyla to 10 days of arrest under Article 23.34 of the Code of Administrative Offenses (organization of an unauthorized mass event). The police report against another activist, Artsiom Kuzmin, was returned for review at Savetski District Police Department. The trials concerned the action held near the city philharmonic on 14 March, during which activists placed portraits of Muammar Gaddafi, Vladimir Putin, Leonid Kuchma and Aliaksandr Lukashenka, signed «To the dustbin of history.»

On 16 March a leader of the Belarusian National-Bolsheviks Yauhen Kontush was detained at a protest action near the Embassy of China in Minsk and placed in the delinquents' isolation center. The action, which was attended by five people, was directed against the Chinese investment projects that violate the rights of citizens of Belarus, including the felling of the park named after the 40th anniversary of the October Revolution. The protesters scattered leaflets and lit a firework.

On 19 March eight people were detained by police while laying flowers to the memorial plaque to victims of the terrorist act of 11 April 2011. All of them were guarded to Tsentralny District Police Department of Minsk. There the police put down their personal data, made photos, took fingerprints and released them without giving any charges.

On 20 March an activist of «European Belarus» Alena Semenchukova was detained for holding a poster «Freedom to Siarhei Kavalenka!» in the center of Vitsebsk. She was charged with violating Article 23.34 of the CAO

and levied with a fine by Alena Tsyhankova, Judge of Chyhunachny District Court of Vitsebsk.

In the evening of 21 March an activist of «European Belarus» Mikita Kavalenka was groundlessly detained in the Minsk metro. before that, he bought tickets for the train to Kalinkavichy. At the police department he was cynically proposed to choose the charges which would be put in the offense report: either Article 23.34 (participation in an unauthorized mass event) or 17.1 (disorderly conduct). Eventually, the police chose the second variant. On 22 March M. Kavalenka was sentenced to 6 days of arrest by Tsentralny District Court of Minsk.

In the evening of 22 March riot policemen detained the activists of «Young Front» Mikalai Dzemidzenka and Raman Pratasevich near the delinquents' isolation center in Minsk, where they and other people were meeting the four «Young Front» members who had served 15-day arrest - Zmitser Kramianetski, Mikhail Muski, Raman Vasilyeu and Uladzimir Yaromenak. The detainees were taken to Maskouski District Police Department. Mr. Pratasevich was released without getting any charges, whereas Mikalai Dzemidzenka was charged with disorderly conduct (Article 17.1). On 23 March Yury Sezin, Judge of the Maskouski District Court of Minsk, sentenced him to 10 days of arrest.

On 23 March, Maskouski District Court of Minsk considered the administrative case against activists of «Revolution through Social Networks Anastasiya Mikhail Kostka and Anastasiya Shuleika. They were found guilty under Article. 23.34 of the CAO for raising a white-red-white flag in the shopping center «Stalitsa», and sentenced to 5 days of arrest. The sentence was delivered by Judge Tatsiana Motyl.

On 24 March more than 100 participants of a concert, organized by the international movement of «Food Not Bombs» at the Culture Palace of Minsk Tractor Plant were detained. Girls were taken to Partyzanski District Police Department of Minsk, boys – to Tsentralny District Police Department. Most of them were released without getting any charges. 15 boys and 1 girl were charged with disorderly conduct and placed in the delinquents' isolation center till trial. One of them, Ihar Trukhanovich, severely beaten during the detention, was hospitalized with a light cranial trauma. On 26 March the detainees were tried at Partyzanski and Tsentralny district courts of Minsk. Partyzanski District Court sentenced Alena Dubovik to 3 days of arrest. The following sentences were given at Tsentralny District Court:

1. Pavel Bialanau - sentenced to 2 days of arrest by Judge Yakunchykhin;
2. Pavel Dziarkach - fined 4 basic units by Judge Yasinovich;
3. Uladzimir Dzmitrakou - fined 5 basic units by Judge Yakunchykhin;
4. Pavel Hrynevich - sentenced to 2 days of arrest by Judge Maiseichyk;
5. Dzmitry Hurau - fined 2 basic units by Judge Tkachova;
6. Zmitser Kharlanchuk - sentenced to 2 days of arrest by Judge Tserashkou;
7. Aliaksandr Pedash - sentenced to 2 days of arrest by Judge Khadanovich;
8. Yauhen Rubashka - fined 5 basic units by Judge Semak;
9. Andrei Stsiapanau - sentenced to 2 days of arrest by Judge Shabunia;
10. Ye. Tsykunenka - sentenced to 2 days of arrest by Judge Bychko;
11. A. Vasilenka - sentenced to 2 days of arrest by Judge Vaitsiakhovich;
12. Mikita Ulasenka - fined 5 basic units by Judge Yasinovich;
13. Yauhen Ulasenka - fined 4 basic units by Judge Vaitsiakhovich;
14. Aliaksandr Yarashevich - fined three basic units by Judge Svistunova.

On 26 March the cases of Mikhail Narushevich and Zmitser Pshenik, detained for an attempt to hang out a white-red-white flag, were considered at Pershamaiski District Court of Minsk. The defendants were found guilty of participation in an unauthorized mass event and fined 2 basic units each. They were kept at the delinquents' isolation center during the night before the trial.

In the night of 27-28 March policemen set the coordinator of «European Belarus» Aliaksandr Atroshchankau, the head of the Belarusian Leftist Party «Fair World» Siarhei Kaliakin and the head of the United Civil Party Anatol Liabedzka off the train Minsk-Moscow. The reason for the detention was anonymous information about the trafficking of drugs in the carriage. However, later the oppositionists were charged with disorderly conduct and detained till trial. The trial was held on 29 March at Orsha City and District Court. Judge Natallia Baitsova levied the detainees with fines of 10 basic units. The activists weren't returned their passports after the trial. Atroshchankau, Kaliakin and Liabedzka travelled to Moscow in order to fly to Brussels, where they had a meeting with representatives of the European Commission.

On 29 March human rights defender Valery Shchukin was detained at the trial of Aliaksandr Atroshchankau, Siarhei Kaliakin and Anatol Liabedzka in Orsha. Demanding an open trial, he laid down on the floor in the doorway

of the court room to prevent the closing of the doors. Mr. Shchukin was charged with disorderly conduct and insubordination to lawful demands of police officers. The detainee spent one night in custody. On 30 March Judge Tatsiana Rybakova fined him 4 basic units for disorderly conduct and 30 basic units – for insubordination.

Restrictions on freedom of speech

On 14 March an officer of Shklou inter-district KGB department paid a visit to the shop of Bialynichy-based entrepreneur, democratic activist Aleh Miatselitsa. He asked the activist about the low-circulation editions which were distributed through the shop, trying to find where such newspapers as «Pakhodina», «Rehiyon» and «Mahiliouski Vybar» were received from.

On 19 March, Brest Regio Prosecutor's Office issued an official warning «About the inadmissibility of law violations» to Dzmitry Kisel, a correspondent for Radio «Racyja». According to the warning, signed by deputy prosecutor A. Tachko, as a result of the study of information posted on the Internet it was found that D. Kisialiou violated «the rules of professional activity of journalists of foreign media on the territory of the Republic of Belarus». It is also stated that journalists are prohibited to work for foreign media without receiving accreditation, whereas the Ministry of Foreign Affairs of the Republic of Belarus didn't issue such accreditation to Mr. Kisel. «In the mentioned circumstances the activity of a journalist of a foreign medium is unlawful and inadmissible,» reads the document. Dz. Kisel is also warned that in case of similar actions in the future he will be brought to justice. The text of the warning was passed to the journalist by the prosecutor of the department of supervision over the implementation of laws and the legality of legal acts Aleh Levanchuk, who also reminded that a similar warning had been issued to him two years ago.

Restrictions on freedom of assembly

On 6 March the head of Brest regional trade union of radio electronic industry Zinaida Mikhniuk was prohibited to hold a picket of solidarity with Aleh Stakhayevich, the sacked head of the independent trade union at the enterprise «Granite» in Mikashevichy. She wanted to hold the action on 7 March in the park of Veterans of War in Afghanistan, officially determined as the place for mass events by Brest City Executive Committee. The reason for the ban is typical: the failure to provide service agreements with police, medics and public utilities.

On 14 March it became known about the prohibition of 15 pickets in the Brest districts. The applications for these actions were filed by activists of the Belarusian Leftist Party «Fair World». They wanted to hold the pickets in the villages of Brest district and the town of Damachava on 16 March in order to inform the population about the real socio-political situation in the country.

On 20 March Orsha City Executive Committee again prohibited activists of the Belarusian Leftist Party «Fair World» to hold pickets dedicated to socio-political issues. This time the authorities disliked that the applicants didn't mention the sources from which the actions were to be finances. The demand to mention the source of financing the mass event was introduced in Article 5 of the Law «On Mass Events in Republic of Belarus» by amendment. Another reason for the ban is traditional: the failure to provide service agreements with medics, public utilities and police.

On 20 March Baranavichy civil activist Ryhor Hryk received a letter, signed by the head of Baranavichy City Executive Committee Dz. Kastsiukevich. By this document the activist was prohibited to hold an anti-impoverishment picket on 25 March.

On 20 March, Minsk City Executive Committee authorized a procession and rally in Minsk on the Freedom Day, 25 March. At the same time, a tendency of banning such actions was observed in all other towns and cities of Belarus.

On 21 March, Hrodna City Executive Committee turned down the application for holding a rally on 25 March. The refusal was signed by the deputy head of the executive committee Iryna Senchakova.

Vitsebsk authorities turned down the applications for holding pickets on 25 March, filed by the local activist of the Conservative Christian Party BPF Piatro Sarapen with Chyhunachny, Kastrychnitski and Pershamaiski District Executive Committees of Vitsebsk. The application of Aliaksei Haurutsikau, Yan Dziarzhautsau and Khrystafor Zhaliapau for holding a procession and meeting on Svaboda Square was turned down, too. The refusal was signed by the deputy head of Vitsebsk District Executive Committee Uladzimir Shloma.

Slonim District Executive Committee prohibited holding a mass rally in the city park on the Freedom Day. Before 25 March Slonim police warned the local activists against taking part in any festive activities. For instance, a police officer came to Ivan Sheha's work and asked him to sign a warning, which Mr. Sheha refused to do.

Review-Chronicle of Human Rights Violations in Belarus in April 2012

April was marked by first steps towards de-escalation of the political conflict between the Belarusian authorities and the European Union. Two political prisoners were released as a result – former presidential candidate Andrei Sannikau and his electioneering agent Dzmitry Bandarenka (on 14 and 15 April respectively). In response to this move the EU refused to take further sanctions against Belarus, while stressing the need to release all political prisoners at the meeting of 23 April.

Another symbol of the beginning of a political thaw in relations between the EU and the Belarusian authorities and the gradual restoration of dialog was the return of the EU ambassadors who had left Belarus in late February to express solidarity with the head of the European Commission Maira Mora and Ambassador of Poland Leszek Szerepko to whom the Belarusian Foreign Ministry had proposed to go to their capitals for consultations in order to «convey to their leadership the tough position of the Belarusian side about the unacceptability of pressure and sanctions.»

However, official Minsk took the position of denying that the release of A. Sannikau and Dz. Bandarenka was the result of political pressure from the EU. On 21 April, speaking to reporters at the community work day in Minsk, Lukashenka said: «If they hadn't written an appeal for pardon, they would have still been in prison, and those who stayed there and haven't written an appeal to the president, will be left there». At the same time, he did not rule out that an amnesty could be declared, calling the approximate term, the Day of Independence (3 July), and explaining his intention in the following way: «We have released these bandits whereas normal people suffer in prisons». By this statement Lukashenka called not only the approximate date, but also the legal procedure which could be used for the release of political prisoners.

The Head of Presidential Administration of Belarus Uladzimir Makei also categorically denied that the release of political prisoners was a result of the tough and consistent position of the EU. On 17 April he said: «There will be no release under pressure... They say that there are still some fifteen or twenty political prisoners who, I quote, «must be released immediately, and immediately rehabilitated». Even radical revolutionaries-anarchists, who

have thrown bottles with Molotov cocktails at the Russian Embassy, were included into this list. According to the interpretation of the European Union, tomorrow this list can be extended to 50-60 people.»

These statements of the country's leaders left the hope that the process of the release of political prisoners would be resumed after the seven-month break since September 2011. The Human Rights Center «Viasna» insists on the unconditional release of 10 persons: Ihar Alinevich, Mikalai Autukhovich, Ales Bialiatski, Dzmitry Dashkevich, Mikalai Dziadok, Aliaksandr Frantskevich, Siarhei Kavalenka, Eduard Lobau, Pavel Seviarynets and Mikalai Statkevich, and requires the review of the case of Artsiom Prakapenka, Pavel Syramalotau and Yauhen Vaskovich at a fair trial, which would issue adequate penalties for their offenses.

The tendency towards restriction of the civil and political activity of political opponents including former political prisoners strengthened during April: a criminal case for violation of the conditions of the preventive supervision was brought against Vasil Parfiankou, preventive supervision was established over Pavel Vinahradau for the term of two years (in March such supervision was also established over Uladzimir Yaromenak for one year). The administrative persecution of activists on trumped-up grounds continued as well. Cases of illegal and arbitrary detentions and arrests were registered. April was marked with the suppression of freedom of expression and freedom of assembly: all street actions but the «Chernobyl Way» rally in Minsk were banned in Belarus.

Political prisoners. Politically motivated criminal prosecution

The most important event in April regarding political prisoners was the release of former presidential candidate Andrei Sannikau and his electioneering agent Dzmitry Bandarenka. Andrei Sannikau, who was serving his sentence in the correctional colony «Vitsba-3», was released on 14 April, Easter's eve. The following morning Dzmitry Bandarenka was released from Mahiliou colony #15. The pardon decree was signed by Aliaksandr Lukashenka.

On 17 April A. Sannikau was summoned to the criminal executive inspection of Pershamaiski Police Department of Minsk, for prophylactic registration. There he was warned that a preventive supervision would be established over him in case he committed any administrative offenses. No travel restrictions were imposed on him. The former presidential candidate

was informed that his criminal record would remain for at least 8 years. The same day the former political prisoner held a press-conference. He said that he had written the petition for clemency to stop provocations and pressurization towards himself. However, he stressed that he hadn't pleaded guilty. «I wrote what is called not a petition, but a request for clemency. I did it consciously and I will not comment on it any more. The only thing I can say is that I did not plead guilty, although there was an enormous pressure in order to make me do it. The pressure was in the colony, but I cannot speak about the details. I wrote the request to stop the pressure and provocations, which were there. I signed it because at some point I realized that it wasn't about pardon. Quite serious things could happen to me, up to physical destruction ... What was done to my personal life and the lives of my family, is just awful.»

Dzmitry Bandarenka told about the prison conditions: «There was no law, there were threats of rape and mutilation. There were attempts to pressurize or recruit me. I said straight out that there were limits which I would not cross, I would just commit suicide ... I had such a decision. I had always articulated it, so it created for me a certain space.»

The release of A. Sannikau, and Dz. Bandarenka, was welcomed by the EU High Representative for Common Foreign and Security Policy, Vice-President of the European Commission, Catherine Ashton, EU Commissioner for Enlargement and European Neighborhood Policy, Stefan Fule, the President of the OSCE, the Irish Deputy Prime Minister Ayman Gilmore, Special Rapporteur of PACE Committee on Belarus Andres Herkel, Ministry of Foreign Affairs of Poland and other European governments, politicians and international organizations, who at the same time urged the authorities to release the remaining political prisoners.

As it follows from Ales Bialiatski's letter, received in the beginning of April, of 29 March Pershamaiski District Court of Minsk granted the lawsuit of Pershamaiski District Tax Inspection of Minsk concerning the exaction of more than 140 million rubles of fine for the untimely payment of the sum of taxes, though the sum which had been paid by the human rights defender in January had already been indexed for inflation, after which it became twice bigger. The civil case was considered by Judge Volha Baham'ya with the participation of the tax officers of Pershamaiski district Sobaleva, Todryk and Kartashova. Neither Bialiatski's colleagues nor his family knew anything about this lawsuit – Bialiatski mailed the court verdict to his wife. The trial took place in the absence of Bialiatski, which was mentioned in

the judgment: «The defendant didn't appear at the trial, he is kept in prison and was duly notified about the date and place of the case consideration». Ales Bialiatski's attorney wasn't present at the trial either. The new financial pretensions to the human rights defender created an artificial legal obstacle to the application of all forms of reduction of his prison sentence – parole, amnesty and pardon.

On 19 April it became known that the Nobel committee accepted the candidacy of the Belarusian human rights activist Ales Bialiatski for the Peace Prize Award.

On 10 April Vitebsk Region Court started the consideration of the appeal of the activist of the Conservative Christian Party «Belarusian Popular Front» Siarhei Kavalenka. The panel of judges issued a ruling on the appointment of a comprehensive psychiatric examination of S. Kavalenka in the Navinki hospital in Minsk. The consideration of the appeal against the verdict of Pershamaiski District Court of Vitsebsk was suspended until the conclusion of psychiatrists. The court was presented the preliminary opinion of psychiatrists that the convicted person has a mental disorder, one of manifestations of which was the rejection of food. The examination was to determine whether S. Kavalenka suffered from mental illness at the time of committing a criminal offense and whether he could comprehend his actions; whether he was still suffering from a mental illness, whether forced treatment was required and whether he had individual peculiarities of psychical state. As it became known on 13 April, in Navinki the political prisoner stopped the hunger-strike he had been keeping since December 2011.

On 10 April Maskouski District Court of Minsk established preventive supervision over the former political prisoner Pavel Vinahradau for a period of 2 years. He is forbidden to leave Minsk without permission from the police, must stay home from 20 p.m. to 8 a.m. and report to the criminal-executive inspection at the place of residence four times a month. The preventive supervision was established in connection with the fact that Pavel Vinahradau has been detained and sentenced several times this year, allegedly for using foul language in public. Police officers considered it as a sufficient reason for strengthening oversight of the former political prisoner.

On 19 April Pershamaiski District Department of the Investigative Committee in Minsk informed the former political prisoner Vasil Parfiankou that a criminal case was brought against him for violating the conditions of preventive supervision, established by Pershamaiski District Court of Minsk

on 5 January 2012 for a term of one year. The reason for the preventive supervision was that V. Parfiankou took part in the action of solidarity with political prisoners on 19 December 2011 and was sentenced to 12 days of arrest for it.

On 26 April the administration of the open penitentiary institution in the village of Kuplin in Pruzhany district denied parole to political prisoner Pavel Seviarynets. The decision was made on recommendation of the so-called Council of educators, which consists of representatives of the administration and the heads of the collective farms where convicts work. The decision was made despite a positive response, due to the fact that the convicted person did not admit his guilt and repent.

On 26 April the administration of Ivatsevichy colony # 22 informed political prisoner Aliaksandr Frantskevich that he was denied a meeting which was assigned on 4 May. His mother was not informed about the reasons for the denial. A long-term (three-day) meeting with relatives is provided pursuant to the Criminal Executive Code, and may be revoked for violations of the prison regime, but Frantskevich didn't have such violations.

Death penalty

On 5 April Liubou Kavaliova and Tatsiana Kaziar, mother and sister of executed death convict Uladzislau Kavaliou, received information from the Office of the High Commissioner for Human Rights. This information was sent by representatives of the Government of Belarus to the UN office in Geneva on 15 March 2012 – the same day, when Uladzislau Kavaliou was shot. Representatives of Belarus informed the Human Rights Committee that a supervisory appeal was filed to the Supreme Court by Kavaliou and the president was considering his request for clemency, and the execution would be suspended until their consideration.

On 11 April, former chairman of the Constitutional Court and the Prosecutor General of Belarus Ryhor Vasilevich said in an interview to the European Radio For Belarus that the death penalty can be abolished without a referendum: «From the formal and legal standpoint, of course, this issue can be resolved without the referendum. The decision of the referendum (24 November 1996) was of a consultative nature. Actually, another decision can be taken. But the president and the parliament – they represent the people. And the opinion of citizens for them is important, which affects their decisions. One can understand them – 80% of the votes! But if we

pay not attention to it, then the issue can be resolved by modifying the Criminal Code. Solutions to this problem can be very different. Perhaps a moratorium can be introduced.»

On 30 April Uladzislau Kavaliou's mother Liubou Kavaliova filed a complaint with the head of the KGB jail, demanding the return of the written notes, made by her son during the trial. After the execution she had received a parcel from the KGB prison with her son's belongings. However, the writings of Uladzislau Kavaliou disappeared. The mother thinks that the investigation and the court which sentenced her son to death weren't objective and the yellow folder could contain some information which the KGB prison was reluctant to disclose.

Enforced disappearances

On 27 April the widow of the missing journalist Dzmitry Zavadski, Sviatlana Zavadskaya, received an answer to her appeal to the Council of Ministers which contained a proposal for the accession of the Republic of Belarus to the International Convention for the Protection of All Persons from Enforced Disappearance. The Ministry of Foreign Affairs expressed the view that there is no need for Belarus to join the Convention because its provisions are implemented in the legislation of the Republic of Belarus – kidnapping of people falls into the category of crimes against humanity, and provides for criminal liability, and inadmissibility of the exemption from liability or punishment in connection with the lapse of time. Foreign Minister also noted that the criminal law of Belarus and its application is also based on a strict storage safeguards against kidnapping of the people which results in their disappearance. The answer signed by the Deputy Minister Hur'yanau.

However, the articles of the Criminal Code mentioned in the answer provide punishment for kidnapping, not for enforced disappearance. According to the definition of the Convention, enforced disappearance – always results from actions of the authorities or other individuals, supported by them.

Torture and cruel treatment

On 7 April, «Young Front» activists Dzmitry Kramianetski and Mikhail Muski were detained in Minsk metro station «Kupalauskaya» for posting stickers «Freedom to Dashkevich». The arrest and detention of the activists were accompanied by beatings and humiliation.

Kramianetski: «The police hid their badges so that we could not see who detained us, and said that we used foul language. Mikhail asked to go to the toilet. Instead, he was handcuffed to a radiator and beaten. Somewhat later they handcuffed me as well, and started beating. We lied on the floor for about three hours.»

Muski: «Dzmitry was beaten unconscious, but they didn't even call an ambulance».

Kramianetski: «The duty policemen at the detention center on Akrestsin Street threatened us with physical violence. He said: You will be kept here, but you won't feel well. It was captain Yesmantovich.»

At the trial on 9 April both «Young Front «activists solicited for medical assistance. D. Kramianetski was taken away to hospital because of a high blood pressure. However, soon he was returned to the court. The court ignored the state of the defendants' health. Judge Maryna Zapasnik sentenced Mikhail Muski to 10 days of arrest for disorderly conduct, and Judge Mikhail Homa issued the same penalty to Dzmitry Kramianetski.

Politically motivated restrictions on freedom of movement

On 28 March the General Prosecutor's Office informed the Deputy Chairman of the Human Rights Center «Viasna» Valiantsin Stefanovich, who was restricted from traveling outside of Belarus, that his complaint was forwarded to the Ministry of Defense. On 12 April Partyzanski District Police Department of Minsk re-directed his complaint again. Bear in mind that the reason for the foreign travel restrictions towards Stefanovich were that he allegedly evaded from call-up to military service. However, the human rights activist is 12 years older than the maximum draft age and passed military service in 1990-92. At the same time, Partyzanski District Military Enlistment Office in Minsk denied having taking any decisions on imposing foreign travel restrictions towards Stefanovich.

A questioning concerning the appeal of the head of the Belarusian Helsinki Committee Aleh Hulak against foreign travel restrictions was to have taken place on 6 April, within the limits of preparation to the trial. The Ministry of Justice and the Ministry of Internal Affairs were defendants in the case. However, on 4 April Aleh Hulak received a telephone call from the secretary of Tsentralny District Court of Minsk. The secretary stated that the judge who was to have considered the case was unable to attend the sitting of 6 April because she needed to receive citizens. The date of the sitting was postponed indefinitely. Aleh Hulak states that he hadn't ever met

such postponements in his practice. Analogical message was received by the BHC lawyer Hary Pahaniaila. The Preliminary hearing on his case was to have taken place on 18 April.

On 11 April, former political prisoner Aliaksandr Atroshchankau was set down the train on the way to Lithuania. As he was told in the Citizenship and Migration Board, he was restricted to travel abroad according to the verdict of the court of Orsha and the Orsha district of 29 March 2012, when Atroshchankau and other leaders of the Belarusian opposition were fined for alleged disorderly conduct in a train. However, the judge hadn't issued any foreign travel restrictions during the trial and Atroshchankau didn't receive any information about the restriction of his right to travel, as demanded by the law. He appealed against the court verdict, and it couldn't enter into legal force until the consideration of his appeal. Even after the entry of the verdict into force some time would pass before the start of enforcement proceedings and the decision on forced exaction of the fine in case of non-payment. Thus, there were no legal grounds for imposing restrictions on A. Atroshchankau.

Administrative prosecution of social and political activists, arbitrary detentions

On 12 April, Leninski District Court of Minsk fined the activists of the «Young Front» Nasta Shuleika and Yury Khodusau. The activists were detained on 11 April near the entrance of the subway station «Aktsiabrskaya», where the solemn opening of the memorial sign «River of Memory», dated to the first anniversary of the terrorist act, was taking place. The «Young Front» activists were found guilty under Article 17.1, «disorderly conduct». Judge Maryna Zapasnik fined Nasta Shuleika 20 basic units, and Judge Mikhail Khoma fined Yury Khodus 15 basic units.

On 12 April, activists of the civil campaign «Tell the Truth!» Andrei Dzmitryieu, Yury Hanchar and Mikhail Pashkevich were detained together with a local defender of the interests of owners of summer residences Vasil Kazlouski. The detainees were guarded to Smaliavichy District Police Department right from an assembly of the owners of summer residentces. A. Dzmitryieu and M. Pashkevich received writs to come to Smaliavichy DPD again. Later they received charges of violation of the rules of holding mass events in connection with their participation on the assembly of summer residents on 10 March.

On 19 April, Maskouski District Court of Minsk fined Krystsina Kuleika and Marharyta Lavyshyk, detained short before, 15 basic units under Article 17.1 of the Administrative Code («disorderly conduct»). The case of M. Lavyshyk was considered by Judge Tatsiana Motyl and the case of K. Kuleika – by Judge Jury Sezen. Marharyta Lavyshyk was the girl-friend of the coordinator of the campaign «Revolution through Social Networks» Viachaslau Dziyanau. The detention took place while she was talking with him over Skype. The detained girls were taken to the delinquents' isolation center on Akrestsin Street. According to representatives of «Revolution through Social Networks», the girls didn't participate in its activities.

On 20 April the activist of the «Young Front» Nasta Shuleika was detained near the shop next to her house. She was charged with disorderly conduct. On 21 April Judge of the Maskouski District Court of Minsk Tatsiana Motyl sentenced her to 10 days of arrest.

On 22 April Hrodna human rights defenders Uladzimir Khilmanovich and Viktar Sazonau were detained by customs officers at the border crossing «Pryvalka.» One of the customs officers saw human rights editions in a bag, after which the car by which the activists were driving, was taken away to a special place and fenced. It's steering wheel and wheels were locked. In addition, it was guarded by a border guard with a dog. The customs officers conducted a personal examination of Khilmanovich and Sazonau. All this lasted for about 5 hours. The customs officers composed a report of confiscation of the books «Our Viasna» and photo albums dedicated to political prisoners and events which had taken place on Nezalezhnasts Square on 19 December. 2012. Two DVDs with the documentary «Cause of Death Left Blank» were confiscated as well.

In the evening of 23 April an activist of «Revolution thought Social Networks» Siarhei Biaspalau was subject to personal examination while crossing the Belarusian border by the train Terespol-Brest. As a result of the examination his laptop was confiscated (a confiscation report was drawn up). After this the activist was let go.

At 11 p.m. on 25 April «Young Front» activist Dzmitry Stankevich was detained by police at the entrance of the metro station «Institut Kultury», who had a streamer, prepared especially for the «Chernobyl Way» rally. On 26 April Maskouski District Court of Minsk sentenced him to 3 days of arrest under Article 17.1 of the Administrative Code, «disorderly conduct».

On 26 April the activists of «Tell the Truth» Aliaksandr Akhmach and Marat Nestisarenka were detained for almost three hours for handing out leaflets dedicated to an anniversary of the Chernobyl disaster and the planned construction of a nuclear power plant in Belarus. At first the detainees were guarded to the Brest District Court, and then – to Leninski District Police Department in Brest, where a report of confiscation of the remaining leaflets was drawn up. The policemen explained that the leaflets would be directed for expertise, after which it would be decided whether there was an administrative corpus delicti in the actions of Akhmach and Nestiarenka. The activists spent almost three hours in detention.

On 26 April Ihar Simbirou, a civil activist from Asipovichy, was detained at the railway station in Minsk where he came to take part in «Chernobyl Way». He was detained by police major Aliaksei Karobka and a police officer whose surname was Zakhvitsevich. He was taken to Kastrychnitski District Police Department with the use of physical force, where a report under Article 17.1 was drawn up against him. The same day Natallia Pratasavitskaya, Judge of the Kastrychnitski District Court of Minsk, sentenced him to 10 days of arrest. The trial lasted for just 10 minutes.

On 25 April Savetski District Court in Minsk considered the case of former political prisoner, activist of «Tell the Truth!» Pavel Vinahradau, detained at Maskouski district criminal-executive inspection in Minsk and charged under Article 17.1. He solicited for postponement of the trial so that his lawyer could take part in it. Judge Dzmitry Pauliuchenka granted the petition and postponed the hearing to the following day. On 26 April the activist was sentenced to 5 days of arrest.

On 26 April Valiantsina Dvarakova was detained during the «Chernobyl Way» rally. She was charged under Article 23.34 of the Code of Administrative Offenses (violation of the order of organizing and holding mass events). The girl was «guilty» of greeting the demonstrators with a white-red-white flag. At first the police came to her flat. Then the girl was guarded to the police department where she was fingerprinted. Even formal traits of corpus delicti of an administrative offense are absent in the actions of Valiantsina Dvarakova.

On 27 April, Savetski District Court of Minsk held the trials of activists of «Young Front» Mikalai Dzemidzenka, Mikhail Muski and Raman Vasilyeu, as well as Aliaksei Churylau and Dzmitry Shauliukevich, detained after the end of «Chernobyl Way» rally on 26 April and charged under Article 17.1 of

the Code of Administrative Offenses, «disorderly conduct». Dzmitry Kramianetski and Uladzimir Yaromenak were detained near the court and given the same charges. Judge Aksana Reliava sentenced Aliaksei Churylau and Dzmitry Shauliukevich to 10 days of arrest and Mikhail Muski – to 15 days; Judge Dzmitry Pauliuchenka sentenced Mikalai Dzemidzenka to 15 days of arrest. Raman Vasilyeu and Uladzimir Yaromenak were sentenced to 15 and 7 days of arrest respectively. The trial of Dzmitry Kramianetski took place on 28 April. Judge Dzmitry Pauliuchenka sentenced him to 7 days of arrest.

On 30 April 19 people were detained by riot police at the premises of the «Free Theater» in Minsk, where the view of the film «Europe's last dictator» was organized. All of them were guarded to Savetski District Police Department of Minsk, where they were kept for almost two hours. Police officer Tsyrko insulted the under-aged Tatsiana Karnevich and Yuliya Kalodkina during interrogation. Several files were deleted from the laptop of Viktoryia Kolchyna and the password was changed, after which it was returned to the owner. A memory flash card disappeared from the camera of journalist Krauchuk.

Restrictions on freedom of speech and the right to impart information, persecution of journalists

On 12 April Aksana Ratnikava, Judge of the Leninski District Court of Mahiliou, fined the activist of the Belarusian Popular Front Siarzhuk Niahatsin 30 basic units for distribution of the small-circulation newspaper «Tut i Tsiaper». She stated that Niahatsin needed to conclude a special distribution agreement with the newspaper's editorial board. However, there is no need to conclude such agreements with the editorial boards of the periodicals whose circulation is less than 300 copies – such editions can operate without the state registration.

On 20 April in Vitsebsk the police detained the distributor of the newspaper «Nash Dom Info» Siarhei Soupel near house #37 in Chkalau Street. He was guarded to Pershamaiski District Police Department and kept there for more than three hours. The activist was charged with violation of part 2 of Article 29.9 of the Code of Administrative Offenses, «illegal distribution of printed media in Belarus.»

On 25 April police officers tried to prevent Russian journalists from meeting with the mother of the executed death convict Uladzislau Kavaliou. They intended to come to her apartment. Liubou Kavaliova was proposed to give an interview for the TV program «Man and Law». But once the crew got out

of the taxi, they were confronted by riot police. Liubou Kavaliova saw it from her window and went out to «liberate» her guests. The journalists let go, but their passport data were put down.

On 27 April the police detained the local activists of the BPF Party and the movement «For Freedom» Siarhei Trafimchyk and Vitold Ashurka. The detainees were taken to the police station where 800 copies of the officially registered newspaper «Novy chas» were confiscated from them. A confiscation report was drawn up. On 28 April policemen came to Siarhei Trafimchyk's apartment with a warrant for its examination. Mr. Trafimchyk was absent from home at that time. No printing equipment was found as a result.

Restrictions on freedom of assembly

On 2 April Homel human rights defenders Anatol Paplauny and Leanid Sudalenka received information from the UN Human Rights Committee concerning the registration of their joint complaint against the refusal of the Homel City Executive Committee to authorize a picket dated to the Day of Human Rights in 2010. All appeals against the refusal at the national level gave no results: the district court took the side of the executive committee, the regional court and the Supreme Court upheld the decision of the district court.

As it became known on 6 April, Minsk City Executive Committee refused to authorize a picket of gay activists «Day of silence: we keep silent to be heard», planned on 9 April. The applicants wanted to hold their action on the territory adjacent to houses #8 and #10 in Mayakouski Street, at the distance of more than 50 meters from stops of the public transport. According to the answer of the Minsk City Executive Committee, the reason for the refusal was the creation of obstacles to the movement of pedestrians and traffic along Mayakouski Street and the functioning of the organizations whose offices were located near the action site.

On 9 April civil activist Ryhor Hryk received a letter, signed by the head of Baranavichy City Executive Committee Dz. Kastsiukevich, concerning the prohibition of the picket which he planned to hold on in the old city park on 15 April on order to express moral support to dissidents and people convicted in connection with post-election protests on 19 December 2010.

On 17 April Homel activist Zinaida Shumilina received information from the UN Human Rights Committee confirming the registration of her com-

plaint concerning the prohibition of the series of pickets she intended to hold on 23 February 2011 to support the convicted presidential candidates and members of their electoral headquarters. The city authorities didn't authorize any of the 16 pickets. The district court sided with the executive committee. The regional and the Supreme Court upheld the verdicts of the district court. This was the129th complaint of Belarusian citizens, registered by this influential international institution.

On 23 April police officers started paying visits to organizers of a picket dated to the anniversary of the Chernobyl tragedy. The activists intended to hold the action in Zhyliber Park in Hrodna on 26 April. The police officers warned the organizers about administrative liability for holding unauthorized mass events, though the activists hadn't received an official ban from the authorities. The application for the authorization of the picket was signed by the head of Hrodna city organization of the United Civil Party Aliaksandra Vasilevich and the head of Kastrychnitski district UCP organization, Dzmitry Audzeichyk.

Slonim District Executive Committee twice prohibited members of Slonim democratic society to hold a picket dedicated to the Chernobyl accident on 26 April.

On 23 April Vitsebsk prohibitions to hold three pickets on the anniversary of the Chernobyl tragedy were received by a member of the Conservative-Christian Party Belarusian Popular Front, Vitsebsk resident Yan Dziarzhautsau, from district executive committees of Vitsebsk.

On 26 April the traditional action of the democratic opposition «Chernobyl Way» was held in Minsk. The mass event was authorized by Minsk City Executive Committee in the form of a meeting and a procession. Despite the peaceful nature of the action, some demonstrators started snatching out rainbow flags from LGBT activists. This was a local clash, which wasn't noticed by the majority of the action participants. HRC «Viasna» called participants of mass events to refrain from any violent actions.

On 26 April a rally against the killing of animals was banned in Brest. The organizers of the event intended to hand out leaflets in support of the action against the killing of homeless animals « Fair Play» which is going on in neighboring Ukraine. Brest animal welfare advocates decided to support this action by distributing leaflets in Pushkinskaya Street in the center of

Brest on 28 April. However, the deputy head of Brest City Executive Committee Viachaslau Khafizau didn't authorize the action.

On 27 April the head of the Belarusian Independent Trade Union Mikalai Zimin and the head of the trade union organization at the «Granite» enterprise in Mikashevichy, Aleh Stakhayevich, received a ban on holding the May Day action in Mikashevichy, whose aim was to express support to activists of the independent trade union at «Granite». The official reason for the ban is that some sports contests were to take place at the action site at the specified time.

On 30 April, Orsha city organization of the Belarusian Leftist Party «Fair World» received waivers to hold two mass rallies on 1 May against rising prices and worsening socio-economic status of citizens. The organizers intended to hold pickets in the places which were officially determined for such actions by the executive committee.

May Day rally was not authorized in Brest either. On 27 April an appropriate decision of the city authorities was received by the head of Hanna Kanius, the head of Brest city organization of the Belarusian Social Democratic Party (Hramada) and Liudmila Dzenisenka, the head of the «Fair World». The authorities explained the ban by the fact that the route of the action included places which were less than 50 meters away from administrative buildings.

Review-Chronicle of Human Rights Violations in Belarus in May 2012

May did not bring any positive changes in the human rights situation in general and the situation of political prisoners in particular. On 24 May, while listening to a report by the Minister for Foreign Affairs Siarhei Martynau, Aliaksandr Lukashenka explicitly stated he had no intention to change his position on political prisoners: «Lately, I have been hearing more and more statements that European diplomats here are waiting for some kind of amnesty, starting talks about political prisoners, and so on. I just want to publicly say that I will not return to this subject (…) We are waiting for concrete steps from the West, the European Union. The ball is on their side. It is my firm conviction. That's why I am not going to wait for this play on old instruments by old notes again.»

This statement by Aliaksandr Lukashenka witnesses that he was waiting for some concessions from the European Union in response to the release of Andrei Sannikau and Zmitser Bandarenka this April and was disappointed that the European Union insistently demands the release of all political prisoners for resumption of political dialogue and cooperation.

The situation was aggravated by the delivery of another politically motivated criminal verdict: on 29 May civil activist Vasil Parfiankou was sentenced to six months of arrest on charges of violating the terms of preventive supervision. Earlier he had been sentenced to 4 years of imprisonment within the framework of the "mass riot case", instigated in connection with the events of 19 December 2010 and was granted parole by a presidential decree. Vasil Parfiankou continued civil activities after his release from jail. The preventive supervision was established over him after he had been detained at an action of solidarity with political prisoners. The verdict against V. Parfiankou has not yet entered into force and will be appealed. Human rights activists state that in case of imprisonment he will be declared a political prisoner.

Civil activists were detained and given administrative punishments throughout the month. There were many cases when people were given punishments on the basis of fabricated charges of "disorderly conduct". Police and courts actively participated in this unlawful persecution. Human

rights defenders believe that the people who have been repeatedly and unlawfully deprived of liberty for a long time can be considered as political prisoners.

In May there was published a report of the High Commissioner for Human Rights on the situation in Belarus, which had been presented orally at the 18th session of the Human Rights Council in Geneva in September last year. As far as the recommendations remain largely unfulfilled by the Belarusian government, UNHCR repeats them, emphasizing additional requirements. The part of the report which concerns freedom of associations and human rights defenders in Belarus includes information about facts of repressions against the Belarusian Helsinki Committee and the Human Rights Center «Viasna» and the defamation campaigns against the political opposition, human rights activists and journalists.

Political prisoners, politically motivated prosecutions

13 political prisoners – Ihar Alinevich, Mikalai Autukhovich, Ales Bialiatski, Dzmitry Dashkevich, Mikalai Dziadok, Aliaksandr Frantskevich, Siarhei Kavalenka, Eduard Lobau, Pavel Seviarynets, Mikalai Statkevich, Artsiom Prakapenka, Pavel Syramalotau and Yauhen Vaskovich, were still kept in jail. What concerns the last three – human rights defenders demand that their cases be reviewed by an independent court. On 21 April Aliaksandr Lukashenka announced his intention to declare an amnesty on 3 July, and many people perceived it as a sign that this legal mechanism could be used for the release of political prisoners. However, experts were skeptical about the effectiveness of using such tools because a part of the political prisoners were declared persistent violators due to the received disciplinary penalties, and Ales Bialiatski will have an unpaid fine when an appropriate verdict of the Pershamaiski District Court of Minsk enters into legal force.

On 29 May there appeared a potential political prisoner – civil activist Vasil Parfiankou, who was sentenced to 6 months of arrest by Pershamaiski District Court of Minsk under Article 421 of the Criminal Code (violation of the terms of preventive supervision established by the court). In February 2011 Vasil Parfiankou was sentenced to four years imprisonment under Part 2 of Article 293 of the Criminal Code («participation in mass riot») for participating in the post-election protests on 19 December 2010. In August 2010 he was released on parole by a presidential decree. He was repeatedly detained for participation in street actions. As a result, preventive supervision was established over him.

Another reason for concern was that preventive supervision had been established over two more youth activists, who had also been convicted for participation in the post-election protests and granted parole by a presidential decree – Pavel Vinahradau and Uladzimir Yaromenak, which could result in criminal liability for violation of the conditions of release on parole.

As it became known on 2 May, Vitsebsk activist of the Conservative-Christian Party "Belarusian Popular Front" Siarhei Kavalenka was transferred from the guarded department of the national scientific-practical center of psychical health in Navinki (where he underwent a complex psychiatric examination on court decision) to the remand prison of the Ministry of Internal Affairs in Valadarski Street in Minsk. On 4 May the MIA Department of Corrections informed Kavalenka's mother that he had been found mentally healthy. On 8 May the convict resumed for the third time the hunger-strike he had been keeping since his arrest of 19 December 2011. On 18 April Vitsebsk Region Court dismissed the appeal of S. Kavalenka and left the verdict in force, and on 20 May he was transferred to Mahiliou colony #19 for serving his prison term (he was sentenced to 25 months of imprisonment).

On 22 the court marshals attached the property at the summer residence of the imprisoned head of the Human Rights Center «Viasna» Ales Bialiatski in the execution of the sentence concerning the confiscation of property. Earlier, in March, the court did this in his apartment in Minsk, and on 30 March – in another apartment, where the office of the Human Rights Center "Viasna" is situated.

At the beginning of the month it was found that the correspondence of A. Bialiatski was restricted – he didn't receive two letters from human rights defender Anastasia Loika. As there were no prohibited items in the letters, A. Loika filed complaints to the Department of Corrections Ministry of the Mahiliou Region, Mahiliou Region Procuracy and Mahiliou civil commission for supervision over the incarceration conditions at the main justice department of Mahiliou Region Executive Committee.

Limitation of correspondence was used towards Yauhen Vaskovich, and Pavel Syramalotau didn't receive the subscribed newspapers through April in Mahiliou colony #19. The prisoner's mother learned this during a short-term meeting with him. She didn't manage to find out the reason why he was deprived of the right to receive the newspapers.

At the end of May Mikalai Dziadok was put in single confinement in Shklou colony #7 for six months on decision of the head of the colony. Prior to that, he was repeatedly forced to write a petition for clemency. Mikalai was also deprived of the long-term visits with his mother and wife, which had previously been allowed in June. During his stay in Babruisk and Shklou colonies he received more than 10 disciplinary penalties for fabricated reasons, such as “incorrect reaction to a remark”.

Death penalty

On 7 May the mother and sister of Uladzislau Kavaliou, one of the convicted and executed for the terrorist act in the Minsk subway, addressed Aliaksandr Lukashenka with the proposal to adopt a decree allowing to issue the bodies of the executed to their families, and inform the families about the places of burial of those who had been executed earlier. They propose to abolish point 5 of Article 175 of the Criminal-Executive Code, because «there is no reasonable justification for the non-issuance of the executed bodies to relatives or hide the place of burial from them”. The relatives of Uladzislau Kavaliou proposed to amend the legislations because they believe that existing regulations are extremely cruel and inhumane in relation to the relatives of the executed.

On 8 May, during the address of A. Lukashenka to the Parliament and the people, MP Samaseika asked him about the death penalty and the possibility of a moratorium on it. Aliaksandr Lukashenka said: «I will never agree to a moratorium. I know the people’s moods. You can turn your TV off. Two villains break into an apartment, rape a daughter, kill her and throw into the bathroom. What to do with them? I instantly reject a petition for clemency. Do you know what the last two death sentences, when the whole world presses on you, cost me? I am the president and I have to do as the society wants. If you are a scoundrel and a skunk, and you commit an offense, be prepared to answer for it. However, may be the society has come to a moratorium.»

Torture and cruel treatment

On 10 May Salihorsk civil activists addressed the House of Representatives with the proposal to introduce the notion of «torture» and liability for this crime in the criminal legislation of Belarus. The deputies were also required to start working out a law against torture. Bear in mind that the Belarusian legislation does not give a definition of «torture» athwart requirements of

the UN Convention against Torture, ratified by the Republic of Belarus. None of the legal acts of the Republic of Belarus contain such definition. In Belarus, there are such crimes as abuse of power and some others which can provide an indirect punishment for actions that can be regarded as torture or ill-treatment, but there is no direct punishment for torture. In their address to the House of Representatives activists drew attention to the recommendations of the UN Committee against Torture to Belarus, made during the 47th session last autumn. In particular, the Committee recommended immediately entering into the Criminal Code provisions giving the definition of torture, and classifying it as a criminal offense, in full accordance with Articles 1 and 4 of the UN Convention against Torture.

On 19 May "European Belarus" activist Andrei Mouchan was detained and severely beaten near "Pershamaiski» supermarket in Rusiyanau Street. He unfurled a white-red-white flag on the street, after which a police car arrived. The policemen severely beat him and pulled him into the car. As a result, he was taken to hospital #11, from which he was signed out on 25 May. According to the preliminary medical conclusion, he was diagnosed with a cranial trauma, fracture of a jaw and ribs, bruises of kidneys and legs. From the hospital he was directed to medical treatment in the polyclinic. In the final conclusion, given to him at the departure, he was diagnosed only with a light cranial trauma, whereas the fracture of the jaw and other trauma are put to doubt in it.

Politically motivated restrictions on freedom of movement

On 4 May the deputy head of the Human Rights Center «Viasna» Valiantsin Stefanovich applied to the Investigation Committee of the Republic of Belarus with the request to bring a criminal case concerning the intentional criminal acts (possibly including forgery), aimed at the unlawful restriction of his constitutional right to travel abroad by introducing his surname in the database of the citizens of the Republic of Belarus, who were temporarily prohibited to leave Belarus. Valiantsin Stefanovich told the Investigative Committee about the futility of his appeals to various government agencies where he sought an answer to the question on whose decision he was prohibited to travel outside of Belarus. In the notice, issued to Mr. Stefanovich by the citizenship and migration bureau of Partyzanski District Police Department of Minsk, it is stated that he was put on this list by the Ministry of Defense of the Republic of Belarus for evading from measures connected to draft into the army and military service in the reserve. According to officers of Partyzanski District Police Department of Minsk, his

surname was put in the database by some Charednik A.V. On receiving this notice the human rights defender required explanations from Partyzanski district military enlistment office in Minsk. The military commissioner and his deputies answered that they hadn't sent any information about V. Stefanovich anywhere. At the same time, Stefanovich noted that the grounds for the temporary restriction of his right to leave Belarus, specified in the notice, were absurd and obviously illegal. First, he is 12 years older than the maximum recruitment age specified by the law, and secondly, he passed military service in 1990-92. Considering journalists and members of NGOs and opposition political parties were also prohibited to travel abroad for similar reasons, the human rights defender expressed the opinion that these limitations are not an accidental and indicate a planned illegal politically motivated action of the Belarusian secret services.

Though the legal term for considering Valiantsin Stefanovich's lawsuit against the unlawful foreign travel restrictions, expired back on 26 April, the date of hearings was still not appointed by the end of May. The office of Tsentralny District Court of Minsk stated that the date of the trial was not appointed and they didn't know when it would be appointed.

This very court failed to timely consider analogical lawsuits of some other persons who were subject to foreign travel restrictions: the head of the Belarusian Helsinki Committee Aleh Hulak and the head of the United Civil Party Anatol Liabedzka. All these cases were to have been considered by Judge Alena Siamak.

Administrative persecution of social and political activists, arbitrary detentions

On 1 May the police detained three activists from Brest, Stas Fiadzko, Illia Labushniak and Uladzimir Katrych, on a highway near Kobryn. The activists were going to Minsk in order to take part in the assembly on amendment of the electoral legislation, held by Dzmitry Uss. The alleged reason for the detention was that there were some problems with the documents for the car. The discrimination lasted for three hours, as a result of which the activists didn't manage to get to the event.

On 1 May officers of the Baranavichy Transport Police Department detained at the central railway station a group of civil activists who were going to Minsk in order to take part in the assembly of the initiative group of Dzmitry Uss. Among the detainees there were Artsiom Babei, Viachaslau

Bolbat, Aliaksandr Davydau and Ryhor Hryk. They were detained by eight policemen and eight people in civvies, who stated that according to their information the detainees were carrying explosives or suspicious items. That's why all of them were guarded to the police station at the railway station for a search. The reports of examination and search were drawn up. Haven't found anything suspicious, the police released the detainees after 2.5 hours.

On 6 May 13 people were detained at a picnic near the village of Zhdanovichy (Minsk district). Among the detainees there were folk singers Zmitser Bartosik and Ihar Simbirou who was released that day after serving a ten-day arrest (on 26 April he had come from Asipovichy to the "Chernobyl Way" rally in Minsk, but had been detained and sentenced to 10 days of arrest).

All detainees were guarded to the police station of Zhdanovichy, where they were subject to forced dactylography and videoing. All of them were released at about 9 p.m., except for Ihar Simbirou, who was charged with using obscene language in public and detained till trial (he spent the night at Minsk District Police Department). On 7 May Minsk District Court started considering his case, but postponed the hearings to 18 May.

At about 1 p.m. on 8 May unknown people detained Ihar Simbirou again near Chaliuskintsy Park in Minsk and pulled him into a black "Mercedes" car. After this Ihar Simbirou was taken to Minsk District Court, where Judge Aliaksei Minich suddenly continued the trial and sentenced him to 15 days of arrest.

On 7 May Alena Minsnik, judge of Smaliavichy District Court, sentenced the leaders of the civil campaign "Tell the Truth" Andrei Dzmitryieu and Mikhail Pashkevich to ten days of arrest. They were found guilty under Article 23.34 of the Code of Administrative Offenses, "violation of the order of organizing and holding mass events" for taking part in an "unauthorized assembly" of owners of country residences in connection with the construction of a Chinese industrial park. The protest assembly took part back in March 2012, but the police paid interest to its organizers only after it received a wide public response.

Only on 10 May it became known that on 24 April Ihar Shalai had been detained near the building of the Ministry of Internal Affairs for posting stickers "No to death penalty". Two policemen guarded him to Savetski

District Police Department of Minsk. A report under Article 17.1 of the CAO ("disorderly conduct") was drawn up against him. On 25 March he was sentenced to ten days of arrest by Savetski District Court of Minsk.

On 14 May the trial over activist of the "Young Front" Mikhail Muski started at Maskouski District Court of Minsk. The activist was to have been released after the 15-day arrest to which he had been sentenced for participation in the "Chernobyl Way" rally in Minsk. However, he was left in the detention facility in Akrestsin Street. He was charged with disorderly conduct and sentenced to 5 more days of arrest by the judge Viktar Kazak. On 16 May he was taken away from the detention facility to the military unit in the village of Mezhytsa (Vitsebsk region). He managed to phone his friends on the way to the military unit.

On 14 May an apartment rented by "Young Front" activists was assaulted by the police. Mikalai Dzemidzenka, Zmitser Kremianetski and Raman Vasilyeu were detained with an excessive use of physical violence and taken away in unknown direction. The policemen took away the keys from the apartment. All present people were order to lie down on the floor. At first, Uladzimir Yaromenak was ordered to stand facing the wall with his legs spread far apart, but then a policeman knocked him down.

On 15 May the "Young Front" activists were found at Tsentralny District Court of Minsk. They were charged with disorderly conduct. Nobody was admitted to the trial, even their lawyers. Mikalai Dzemidzenka was sentenced to 10 days of arrest by Judge Vaitsekhovich, Zmitser Kremianetski – to 10 days of arrest, and Raman Vasilyeu – to 12 days of arrest by Judge Alena Tkachova.

On 16 May Leninski District Court of Minsk considered the administrative case of Ivan Amelchanka, author of the poster «Musorok», detained the day before at Leninski District Police Department of Minsk, where he came on his own, as the police were constantly disturbing his parents and relatives trying to summon him as a witness in the "mass riot" case (concerning the post-election protests of 19 December 2010). A report under Article 17.1, "disorderly conduct", was drawn up on Ivan Amelchanka. Judge Mikhail Khoma sentenced Ivan to 15 days of arrest.

On 17 May the administrative cases of "Young Front" activists Pavel Siarhei and Uladzimir Yaromenak (detained in an apartment the day before) were considered at Frunzenski District Court of Minsk. U. Yaromenak was

sentenced to 7 days of arrest by Judge Liudmila Lapo and P. Siarhei – to 5 days of arrest by Judge Natallia Karobina.

On 18 May the wife of political prisoner Siarhei Kavalenka, his cousin and an activist of the "European Belarus" Alena Semenchukova were detained before the beginning of the consideration of Siarhei's appeal at Vitsebsk Region Court. The police charged them with writing "Freedom to Siarhei Kavalenka!" on the asphalt in front of the court. On 30 May the detainees were to have been tried at Kastrychnitski District Court of Minsk, but Judge Ina Hrabouskaya returned the case to the police for revising. According to the court information, the charges will be changed from disorderly conduct to an insignificant damage of property. A. Kavalenka hoped that the case would be dropped at all altogether.

On 24 May activist of the "Young Front" U. Yaromenak was guarded to Maskouski District Court of Minsk from the detention facility in Akrestsin Street, from which he was to have been released the previous night. He was charged with disorderly conduct (Article 17.1 of CAO). Judge Tatsiana Motyl sentenced him to ten more days of arrest.

On 25 May Maskouski District Court of Minsk considered the administrative case of Zmitser Kremianetski who was charged with using obscene language in public (disorderly conduct, Article 17.1 of CAO). Judge Tatsiana Motyl sentenced him to 10 days of arrest. It's worth noting that Zmitser had been released from the detention facility in Akrestsin Street the day before, on 24 May.

On 27 May the police detained a group of youth who met with a doctor of technical sciences, expert on nuclear energy Heorhi Lepin at the "Tractor" stadium. 21 people were taken to Maskouski District Police Department of Minsk. Police officers used physical violence towards some of them, threatened to draw administrative reports and imprison the detainees. However, all of them were released after forced dactylography.

On 26 May "Young Front" activist Raman Vasilyeu was to have been released after serving a 12-day arrest for hanging out a national white-red-white flag on an anniversary of the referendum as a result of which a modified version of the Soviet-era flag and coat of arms became the state symbols of Belarus. Instead of release from jail R. Vasilyeu received new charges under Article 17.1 of CAO. On 28 May Judge Tatsiana Motyl sentenced him to 12 more days of arrest.

On 30 May «European Belarus» activist Maksim Viniarski was detained for putting up posters addressed to Russian President Vladimir Putin, who came to Minsk with an official visit that day. M. Viniarski was guarded to Maskouski District Court of Minsk and sentenced to 5 days of arrest.

On 30 May ational-Bolsheviks Yauhen Kontush and Zmitser Siniak, were punished with 5-day arrests and Zmitser Paliyenka – with 10 days of arrest.

On 30 May Ivan Amelchanka who was to have been freed after serving a 15-day arrest, received new charges under Article 17.1 of the CAO. The trial took place behind the closed doors at Maskouski District Court of Minsk. Judge Tatsiana Motyl sentenced I. Amelchanka to ten days of administrative arrest.

In the evening of 31 May Svetlahorsk police detained the activists of the civil campaign "Tell the Truth", journalists and local dwellers during a protest action against the construction of a bleached pulp plant near the village of Yakimava Slabada. All detainees were released, except for Mikhail Pashkevich, who was left at Svetlahorsk District Police Department. He was charged under Article 23.4 of the CAO («intervention in the actions of the police»). On 1 June Iryna Aliseika, judge of Svetlahorsk District Court, sentenced M. Pashkevich to 7 days of arrest.

At about 6 p.m. on 31 May the head of the Belarusian Institute for Strategic Studies (Vilnius), Professor of European University in St. Petersburg Aliaksei Pikulik stopped responding to calls to his mobile phone. Several hours few hours later it became known that he was at Tsentralny District Court of Minsk. He was charged with disorderly conduct (Article 17.1 of the CAI) and on 1 June Judge of the Tsentralny District Court of Minsk Yakunchykhin sentenced him to 5 days of arrest.

Restrictions on freedom of speech and the right to impart information, persecution of journalists

At about 8.30 p.m. on 2 May police came to the Minsk office of Radio "Racyja" while examining the apartments near Peramoha Square, where a rehearsal of the 9 May military parade was to take place. Journalist Henadz Barbarych, who was on duty at the time, opened the door. Having seen Radio "Racyja" logos, the policemen called for backup from Tsentralny District Police Department. Eventually, they took away the office computers

for examination. The police wrote a «report of survey» which indicated that the techniques were taken away for examination.

On 29 May Homel Region Procuracy issued an official warning to independent journalist Larysa Schyrakova for cooperation with the satellite TV channel «BelSat». Larysa was summoned to the procuracy and shown two statements from the villagers of Yakimava Slabada (Svetlahorsk district). The "outraged" villages allegedly demanded that L. Shchyrakova be prosecuted. In the statements it was written that she had allegedly cheated participants of the assembly of villagers, as she introduced herself as a worker of the state TV, but her report was shown on the "opposition" TV channel – "BelSat". L. Shyrakova denied these accusations and wanted to appeal the warning which was issued to her by the procuracy.

On 31 May Salihorsk police detained journalists, local dwellers and members of the civil initiative "Tell the Truth" at a protest against the construction of a bleached pulp plant. Among the detainees there were journalists Aliaksandr Barazenka, Siarhei Balai, Alina Radachynskaya and Ina Studzinskaya and activists of "Tell the Truth" Hanna Kurlovich, Mikhail Pashkevich, Aliaksandr Ulitsionak and Siarhei Vazniak. The journalists were freed after giving explanations.

Restrictions on freedom of assembly

On 4 May the head of the Homel regional organization of the United Civil Party Vasil Paliakou applied to the UN Committee on Human Rights. The politician believes that the Belarusian authorities, who sentenced him to five days of arrest for the organization of a national assembly violated Article 19 and 21 of the International Covenant on Civil and Political Rights – namely, the right to freedom of information and of peaceful assembly. On the eve of the national assembly, on 9 October 2011, the court found him guilty of violating Article 23.34 of the CAO (violation of the order of organizing and holding mass events), and punished him with arrest. V.Paliakou disagreed with the decision of the district court and appealed against it in the higher courts – the regional and the Supreme Court, but his lawsuits weren't granted.

On 11 May it became known that Rahachou District Executive Committee banned pickets and an assembly in the district Palace of Culture within the framework of the campaign "Let's return "Dazhynki" to Rahachou!". The reason for the ban was that that it was prohibited to hold any mass events

in the Palace of Culture. Another (already traditional) reason was that the applicants failed to conclude agreements with the police, communal utilities and ambulance.

In May, pickets "For Fair Elections without Lukashenka!" were banned all over Belarus. 24 activists from Homel and 7 more – from cities of Homel region applied for the authorization of such pickets. By these actions they wanted to draw public attention to the problem of the absence of free and fair elections in Belarus. The pickets were to have been held on 15 May. Applicants from Babruisk and Mahiliou weren't allowed to hold such pickets either. Four pickets were banned in Barysau. Activists of the United Civil Party intended to hold 5 pickets on 15 May, but all of them were banned – including the pickets which were to be hold in the places which had been officially determined for such actions by the authorities. Orsha City Executive Committee didn't authorize the 14 pickets UCP activists intended to hold on 31 May. The reason for the ban was as usual – the absence of agreements with medics, communal utilities and police.

Salihorsk authorities banned a cycling tour timed to the anniversary of the referendum of 14 May 1995, which resulted in a white-red-white flag and coat of arms «Pahonia» to have lost the status of state symbols. The application was filed by "Young Front" member Andrei Tychyna. The event was scheduled for 26 May.

On 22 May pickets in support of the school with the Polish language of instruction were banned in Hrodna. Representatives of the Polish national minority wanted to hold four pickets to demand preservation of the language regime at school #36. The authorities explained their ban with the absence of service agreements with the police, communal utilities ad medics.

On 29 May a picket of a young post-graduate Aliaksei Paulouski was banned in Minsk. Mr. Paulouski intended to picket the Institute of Physiology of the National Academy of Sciences of the Republic of Belarus on 30 May in order to draw the public attention to the failure of the institute administration to provide post-graduates from other cities with places in the dormitory. Minsk City Executive Committee stated that the action could not be authorized as repair works would be held in Akademichnaya Street at the specified time.

Freedom of association

On 23 May a worker of housing and operational service #12 applied to the editorial board of the "Brestskiy Kuryer" newspaper and reported that the administration of the service distributed among workers applications for joining the "state NGO" "Belaya Rus". Each worker received two applications, which were already filled – it was necessary just to enter one's name, surname and home address and sign them. One of the applications was to the head of Brest Maskouski district branch of "Belaya Rus" Maryia Haldun: "Please, let me join the national civil association "Belaya Rus". I have been acquainted with the Charter and agree with it." As it follows from the sample application, it was prepared specially for women. The other application is addressed to the head of Brest housing and operational bureau Pavel Zahrai: "I ask you to exact the membership fees of 0.3% from my salary on a monthly basis for the further transfer of the NGO» Belaya Rus».

As it became known on 24 May, the appeal of the founders of the civil association "For Fair Elections" was registered at the UN Human Rights Committee. In 2011 the Belarusian Ministry of Justice refused to register the association with the state. The Supreme Court upheld the decision of the ministry, thus depriving the association of an opportunity to acquire a legal status. As a result, Siarhei Kaliakin and other founders applied to the Human Rights Committee, appealing the violation of their right to association by the Republic of Belarus. In their appeal it was also stated that activities on behalf of unregistered organizations were criminally prosecuted in Belarus.

Review-Chronicle of Human Rights Violations in Belarus in June 2012

Events in June clearly demonstrated that Belarusian authorities considered human rights issues only in the dimension of political relations with the EU and other countries of Europe. The focus of these relations was still on the problem of political prisoners. Due to the complete lack of political will for the release of political prisoners by Belarusian authorities, the EU announced the possibility of extending the list of the state officials of Belarus falling under its sanctions. This was announced on 18 June in Brussels by Gunnar Wiegand, Director of the European External Action Service Department for Russia, Eastern Partnership, Central Asia, regional cooperation and OSCE. The head of the JV «Santa Impex Brest» Ltd. Aliaksandr Mashenski, who played an important role in the presidential campaign of Aliaksandr Lukashenka in 2010 and is considered the third most influential Belarusian oligarch after Peftsiyeu and Chyzh, was mentioned as a contender for the inclusion in this list. The reaction of Belarusian authorities to this statement was instantaneous: on 21 June Hrodna journalist and activist of the Polish minority Andrei Pachobut was arrested on charges of defaming the president, and the list of political prisoners was supplied with another name. Having no wish to escalate the confrontation, the EU refrained from considering the Belarusian issue at the meeting of Foreign Ministers of the EU on 25 June in Luxembourg. On 30 June Andrei Pachobut was released on a recognizance, although the charges were brought against him.

It should be added that Belarusian authorities reacted very nervously to the accession of seven European countries to the economic and visa sanctions – Croatia, Macedonia, Montenegro, Iceland, Serbia, Albania and Liechtenstein.

The hopes that the amnesty proclamation which was planned before the official Independence Day, 3 July, would be used as a legal mechanism for the release of political prisoners, didn't come true. On 12 June, at a meeting on the issue of amnesty for certain categories of offenders, Aliaksandr Lukashenka stated that «there should be no politics during the conduct of the amnesty»: «Everything has to be honest. To do this, criteria must be defined. According to these criteria, we must act: someone will be released on parole according to these criteria or will have his prison

term reduced. And we must not «pull» there any people who are not to be released, including for political motives, at any cost». At the same time, the draft bill «On Amnesty», entered to the Parliament on 15 June, was heavily politicized and drew a sharp criticism of human rights defenders. Compared to similar legislation in previous years, several articles of the Criminal Code were excluded: Article 342, «Organization and preparation of group actions which violate the public order, or active participation in them», under which 10 people were convicted for participation in the post-election protests of 19 December 2010, including Pavel Seviarynets who is currently serving a personal restraint term), Article 293, «Mass riot» (ex-presidential candidate Mikalai Statkevich is serving a prison term under it), Article 367, «Defamation of president» (journalist Pachobut was sentenced to condition imprisonment under it). According to the draft bill, the amnesty also doesn't spread on malignant violators of the prison regime. This status has been attributed to most political prisoners, including the head of the Human Rights Center «Viasna» Ales Bialiatski.

A significant event, aimed at improving the human rights situation in Belarus, took place on 27 June in Geneva. The UN Human Rights Council considered the Belarusian question and drafted a proposed a resolution, developed by the European Union mission to the UN. The draft resolution contains a recommendation to Belarusian authorities to respect human rights, release political prisoners, introduce a moratorium on the death penalty and to fully cooperate with all UN mechanisms. It also recommends establishing the mandate of the UN Special Rapporteur on Belarus. During the discussion, the Permanent Representative of Belarus to the UN in Geneva, Mikhail Khvastou announced his intention to «take into account» the views expressed by the UN Human Rights Council, an at the same time stated that «there is no doubt about that the EU is trying to impose on the Council and the High Commissioner its demands on Belarus». «Belarus does not need a special rapporteur», said Mikhail Khvastou. «Belarus asks the Council to vote against this idea. With the termination of the mandate of the Special Rapporteur on Belarus, in 2007 our country started a dynamic development of relations with the UN treaty bodies, the Council and its topical mandates and the Universal Periodic Review procedure. We have worked hard to overcome the destructive effects of the Special Rapporteur's work and build a constructive relationship with the UN human rights mechanisms.» In her turn, the UN High Commissioner for Human Rights Navi Piley, who had presented a review criticizing the situation in Belarus short before, stressed: «I have already mentioned that Belarusian government invited the special rapporteurs on the cultural, social, economic ar-

rangements, but did not respond to requests of the special rapporteurs on human rights and other issues».»

The High Commissioner for Human Rights called on the Belarusian government to «do everything possible to ensure that the forthcoming parliamentary elections conform to international norms and standards».

As for the electoral campaign, a very important circumstance that determines the social atmosphere in the country ahead of the elections to the House of Representatives, appointed on 23 September, is the existence of political prisoners – the Human Rights Center «Viasna» recognized 14 citizens of Belarus as political prisoners at the time of announcement of the elections. There was a possibility that the current economic and international situation would allow Belarusian authorities to stay in conflict with the European Union, bargaining for more substantial concessions. This meant that some political prisoners would still remain in custody, which could become the reason for withdrawal of a part of opposition candidates from the election race.

Political prisoners. Politically motivated criminal prosecution

The issue of political prisoners escalated on 21 June due to the arrest of Hrodna correspondent of the Polish daily «Gazeta Wyborcza» Andrei Pachobut on a criminal case under Part 2 of Article 367 of the Criminal Code (defamation against the President), brought by Hrodna Region Investigative Committee, in accordance with the materials of inspection by Hrodna Region KGB Department. The audit of the KGB concluded that a number of publications by Andrei Pachobut in some online resources contained «slanderous remarks against President Lukashenka.» Part 2 of Article 367 of the Criminal Code envisages up to 5 years of imprisonment. At present Andrei Pachobut is serving a term of conditional imprisonment for 3 years with the determent of sentence for 2 years in accordance with the verdict handed down by Leninski District Court of Hrodna on 5 July 2011 for libel against President (Part 1 of Article 367 of the Criminal Code). Persecution of Andrei Pachobut is regarded as reprisals against journalists for their professional activities and a demonstrative threat to the entire journalistic community on the eve of the parliamentary elections. On 30 June Andrei Pachobut was released from the remand prison under a written recognizance not to leave the city.

On 8 June it became known from a letter of human rights defender Ales Bialiatski that the head of Minsk City Court dismissed his application for

supervisory review lodged against the sentence of the Pershamaiski District Court of Minsk and the ruling of the college board of the Minsk City Court. The human rights defender faced an increased pressurization on the part of the administration of the colony – he received three penalties and was eventually recognized as a malignant violator of the regime of punishment. Ales Bialiatski didn't sign a written undertaking to mend his ways (which would mean that he confessed his guilt), he doesn't participate in the amateur artistic society and has a financial debt (on 29 March Pershamaiski District Court of Minsk decided to exact from him more than 140 million rubles of fine for late payment of the amount of the alleged tax debt. Due to all these circumstances, his long-term meeting with wife was reduced to 1 day instead of 3, she was allowed to pass him 15 kilos of foodstuffs instead of 30 and wasn't allowed to pass spare 5 kilos of fruit and vegetables allowed during the summer period.

On 27 June the UN Human Rights Committee registered a complaint filed on behalf of Ales Bialiatski by his wife Natallia Pinchuk and Antoine Bernard, Director General of the International Federation for Human Rights (FIDH). The complaint appeals: the unlawful restrictions on freedom of association, including the refusals of Belarus to issue official registration to the civil association «Viasna» in 2007 and 2009, an official warning issued to Ales Bialiatski by the General Procuracy for activities on behalf of the unregistered association in 2011 and his criminal punishment for alleged tax evasion of the funds received and spent for legitimate purposes of the Human Rights Center «Viasna»; violations of the right to a fair trial; violation of the rights to liberty and security in the application and extension of the preventive measure of detention during the preliminary investigation and the consideration of the criminal case against A. Bialiatski in court.

On 18 June Vitsebsk activist of the Conservative Christian Party «Belarusian Popular Front» Siarhei Kavalenka, punished with 2 years and 1 months of imprisonment for alleged violation of the regime of personal restraint, was put in a penal cell in Mahiliou colony #19 where he is serving the prison term. The alleged reason was that he had a conflict with other prisoners. A special discriminative regime was applied towards Mr. Kavalenka by the colony administration: his bedside table was checked up, he was subject to a personal supervision and was not allowed to visit the athletic ground. Two violations of the prison regime have been put in his record.

On 27 June a former presidential candidate, political prisoner Mikalai Statkevich was placed in the penal isolator of Mahiliou prison #4 for 10 days.

Most probably, it was connected to the prisoner's reaction to a provocation against him, when a HIV-positive man was put into his cell and cut his wrists two times. The public also became aware of the attempts of the prison administration to declare Statkevich suicidal. Earlier, the former presidential candidate was declared «a persistent violator of the prison regime, prone to attack and escape».

Harassment of human rights defenders

On 11 June the deputy head of the Human Rights Center «Viasna» Valiantsin Stefanovich received a negative response from Minsk City Court to his claim for bringing disciplinary proceedings against Judge Alena Siamak who had ignored the terms of consideration of his complaint, established by the Civil Process Code of the Republic of Belarus. On 26 March Valiantsin Stefanovich had applied to the Tsentralny District Court to appeal the unlawful foreign travel restrictions imposed on him. As far as the legal term for considering such appeals, established by the Civil Process Code, is one month, the judge was to have considered the case by 26 April. However, she failed to do it. In the answer, received by Mr. Stefanovich from Minsk City Court, its head Uladzmir Putsyla wrote that the judge «was busy». On 26 June Mr. Stefanovich phoned to Tsentralny District Court of Minsk in order to find whether the judge was still busy, and was told that she and court secretary were on vacations till 13 July.

Valiantsin Stefanovich also received a response from the Investigative Committee, to which he applied with a request to bring a criminal case as he had a suspicion that his name was put in the database of foreign travel restricted as a result of purposeful criminal actions, possibly including forgery. The head of the department of work with citizens' applications Mikalai Daniliuk answered that bringing such a case was outside the competence of the Investigative Committee.

On 21 June the head of the informational and educational institution «Platform» Andrei Bandarenka was summonsed to Minsk City Procuracy and issued with a warning for alleged discredit of the Republic of Belarus. The reason for the warning was the address of the «Platform» to the International Ice Hockey Federation with the request not to hold the IIHF World Championship in 2014 in Belarus, unless the political prisoners are released and the repression against human rights defenders, journalists and civil Community is stopped. The procuracy found that this appeal contained «false information about the political and social situation of the Republic of

Belarus and the legal status of citizens in the Republic of Belarus discrediting the Republic of Belarus or its agencies».

On 22 June the hearings on the appeal of human rights defender Hary Pahaniaila against the Ministry of Internal Affairs and the Ministry of Justice ended at Maskouski District Court of Minsk. The head of the MIA citizenship and migration department apologized to Hary Pahaniaila on behalf of the Ministry of Internal Affairs for the erroneous inclusion of his surname in the list of restricted to travel abroad and brought to the court a certificate stating that Hary Pahanyaila had been excluded from the database. Though the actions of the Ministry of Internal Affairs were found unlawful, the court refused to prosecute the officials who had included the human rights defender in the list, thus limiting his constitutional rights.

Politically motivated conscription and deprivation of the right to alternative civilian service

On 8 June Judge of the Lida District Court Yarmakovich considered an appeal of Andrei Charnavusau in which he asked the court to protect his right to alternative civilian service, guaranteed by the Constitution against the unlawful decision of the draft board, according to which he was called up into the army. The interests of the draft board were presented by three members, including the head. The trial lasted for about 90 minutes. A special emphasis was made on Andrei's views that didn't let him serve in the army. In the end, the court upheld the decision of the draft board, referring to the mechanism of alternative civilian service. Andrei Charnavusau said he would appeal the verdict at Hrodna Region Court.

On 14 June a hearing on an appeal of «Young Front» activist Mikhail Muski (unlawfully drafted in the army) took place at Niasvizh District Court. The youngster was forcibly sent to the army from a temporary detention facility and will serve in a military union in Lepel district. He appealed the actions of Niasvizh draft board which didn't grant his request to be assigned to alternative civilian service. The first hearing took place on 1 June. As far as Mikhail Muski wasn't taken to court this day, Judge Maryna Dunayeva ruled that he was to be called there for the next hearing. Bear in mind that Mikhail Muski and some other activists of the «Young Front» were detained after the street rally «Chernobyl Rally» on 26 April in Minsk. The following day Mikhail was sentenced to 15 days of arrest by Savetski District Court of Minsk. He was to have been released on 11 May, but was sentenced to 5 more days

of arrest by Maskouski District Court… During the 14 June sitting the judge turned the activist's appeal down. The political prisoner was to have taken military oath on 16 June, but refused to make it in protest.

Though the right to alternative civilian service is guaranteed by the Constitution of the Republic of Belarus, the Belarusian legislation still has no laws which would regulate it.

Torture and cruel treatment

On 5 June the head of the Standing Committee on Legislation and Judicial Affairs of the House of Representatives M. Samaseika informed civil activists from Salihorsk that the notion of torture will appear in the Belarusian legislation. This was a response to the appeal of several Salihorsk for the introduction of the concept of «torture» and punishment of this crime in the Belarusian legislation. They also demanded that the MPs start working out a law against torture.

On 14 June the head of the human rights center «Legal Assistance to Population» Aleh Volchak addressed the UN Special Rapporteur on torture with a request to visit the detention facility of the Main Police Department of Minsk city Executive Committee, where prisoners are kept in appalling, inhumane conditions. The human rights activist (who served two arrest terms in this facility in 2012) asked the Special Rapporteur on Torture to to demand from Belarus to bring conditions of detention in this prison in line with the UN Standard Minimum Rules for the Treatment of Prisoners.

On 18 June the informational and educational institution «Platform» presented in Minsk a monitoring report concerning the conditions in the prisons of the Republic of Belarus in 2011-2012. As stated by the head of the «Platform» Andrei Bandarenka, the reason for this was reports about the increase of cases of violation of prisoners' rights and disregard of the appropriate complaints by the supervisory organs. «Last year we reported about facts of cruel treatment and beating of prisoners in at least two colonies – in Hlybokaye and Ivatsevichy. The prisoners were beaten so violently that they had to be operated in civil hospitals. Nevertheless, the procuracy answered all our applications by saying that the described facts weren't confirmed during its examinations. At the same time, the prisoners who were released from these colonies confirmed these facts and stated they had told the examining officers about them.»

On 28 June the mother of Pavel Plaksa, whose son was arrested on suspicion of committing a theft in Minsk, reported about the use of torture and ill-treatment towards her son. Officers of Leninski District Police Department of Minsk regularly and violently beat him for three days, extorting a confession. He was beaten with fists and kicked with feet. The police jumped on his back, repeatedly made «swallow» (clenched his hands handcuffed behind his back and put his legs between the back and the arms, fixing them with wire and beat him with batons while he lied down on the floor. When they were getting tired of beating him, they put a bag on his head, blocking the air. Beating was used in turns with psychological pressurization: the policemen threatened to arrest Pavel's civil common-law wife and put his two-month child in hospital. The atrocity exhibition was stopped only in presence of investigators and lawyers. The intensity of the torture can be witnessed by the frequency of the calls to ambulance: 31 May, 1 and 2 June. In the end the medics took Pavel to clinical hospital #5. As it was impossible to hide the traces of beating and the suspect was unable to take part in the investigative experiments, a forensic examination was conducted. The parents of Pavel Plaksa appealed the groundless use of physical force and severe torture in various state organs. They passed the appropriate information to the Standing Commission of the House of Representatives on human rights, national affairs and media, the main board of MIA own security and Leninski District Procuracy of Minsk. The latter forwarded their address to Leninski District Investigative Committee. Investigator I. Mukasei wrote that «your statement concerning unlawful actions of officers of the Leninski District Police Department of Minsk towards your son was attached to materials of the examination of 8 June. You will be sent additional information about the results of the examination.»

Administrative prosecution of social and political activists, arbitrary detentions

On 1 June, the opening day of the festival of national cultures in Hrodna, police arrested 21 people, participants of a picket in defense of the secondary school №36, in which the authorities intended to abolish the Polish language of instruction. Most of the detainees were given charges. The same day Ihar Bantsar was taken to court, where Judge Kseniya Stasiukevich sentenced him to 13 days of administrative arrest. The sentence may have been given to him right after the detention so that no one would see the traces of beating on his face. Other detainees were tried later. On 6 June Judge Natallia Kozel fined journalist Hrazhyna Shalkevich 5 million rubles (about $605) for alleged participation in the picket. Another journalist,

Yuliya Kaliada, was fined 2.5 million rubles, pensioner Henryka Stremalkouskaya – 1.7 million rubles (about $206), Stanislava Tsivunchuk – 2 million rubles (about $242), Irena Miklash – 1.5 million (about $182). An occasional passer-by, Piatro Tabola, who tried to defend a woman during the forced detention, was sentenced to a fined of 2.3 million rubles (about $278). On 7 June the judge of the Leninski District Court Natallia Kozel sentenced Edvard Dmukhouski to a fine of 4.5 million rubles (about $545).

On 5 June an activist of the «Our House» campaign Tatsiana Yakauleva, who was going to attend a children's contest on fishing and a local history walking tour in the settlement of Kokhanava, was detained by police, allegedly on suspicion in carrying TNT. She was guarded to Orsha District Police Department, where a search was conducted. As a result, it was found out that the activist was carrying 29 T-shirts with the logo «Our House» and a few flickers, but no TNT. The policemen had to let her go in three hours.

On 21 June the activists of the campaign «Tell the Truth!» Aliaksandr Artsybashau and Pavel Vinahradau were detained in Minsk. A. Artsybashau was detained in Niamiha Street at about 1.00 p.m., shortly before a political flash mob with the participation of plush toys, «We have come to be imprisoned again» with plush toys. Pavel Vinahradau was detained in his own apartment at about 10 p.m. The detentions were conducted by officers of Tsentralny District Police Department of Minsk who refused to give any explanations. P. Vinahradau was taken to the delinquents' isolation center in Akrestsin Street in Minsk. On 22 June the activists were tried at Tsentralny District Court of Minsk on charges of «disorderly conduct», Article 17.1 of the Code of Administrative Offenses. Judge Veranika Tkachova sentenced A. Artsybashau to 15 days of arrest and Judge Maksim Tserashkou issued the same sentence to P. Vinahradau.

In the afternoon of 26 June the police detained civil activist Ivan Amelchanka near his house. On 27 June he was sentenced to 15 days of arrest for «using obscene language in public» (Article 17.1 of the CAO). This arrest became the continuation of the ruthless revenge to Ivan for his performance during the «Chernobyl Way» rally, at which he stood next to a plain-clothed police cameraman, holding a poster with the inscription «Musorok» («Copper»). After the performance, the police kept looking for him, disturbing his parents and stating that they wanted him to give explanations concerning the «mass riot» criminal case of 19 December 2010. As a result, on 15 May he came to the police on his own. He was charged with disorderly conduct and sentenced to 15 days of arrest. On 30 May he was to have been released

from jail. Instead, he was taken to Maskouski District Police Department, where he was again charged under Article 17.1 and subsequently sentenced to 10 days of arrest. Thus, he spent 40 days in prison during two months.

In the morning of 30 June the police started arresting the most active members of youth movements. At 7 a.m. they took Vital Vasilkou, an activist from the youth wing of «Tell the Truth!», «Zmena», away from home and guarded him to Frunzenski District Police Department. He was charged under Article 17.1. The trial was led by a judge of Frunzenski District Court of Minsk, Liudmila Lapo. She dismissed all petitions of Vasilkou's lawyer, including the petition for viewing the materials of the video registration (because the police witnesses claimed that he had committed the offense at the police department). The activist was sentenced to 5 days of arrest.

The same morning the police came to Ales Krot's sister's home, looking for him. At 7.30 a.m. police also paid a visit to an activist of Belarusian National-Bolsheviks Dzmitry Paliyenka, but he was away from home. They allegedly wanted to question him about a fight which had allegedly taken place near his porch at 3 a.m. However, according to Dzmitry's information, none of his neighbors were questioned. The police also tried to get into the apartments of some other activists of the National-Bolshevik movement. Policemen in mufti also kept waiting for them at the entrance of the apartments for a long time.

Restrictions on freedom of speech and the right to impart information, persecution of journalists

On 1 June in Gorky Park in Minsk police detained TV journalists Tatsiana Belashova and Volha Chaichyts who were making a report on the occasion of Children's Day. The detainees were taken to the Partyzanski District Police Department where they had to give explanations. After this a KGB officer came to came to the police department and said he wanted to talk to each of the women. As he refused to introduce himself, the journalists refused to talk to him. They were released from the police department about three hours after the detention.

On 6 June the Kastrychnitski District Court of Vitsebsk considered the administrative case of Siarhei Kandakou. He was tried on the basis of a violation report, which was drawn by the police on 2 May (he was detained for throwing copies of the «Vitebskiy Kuryer» newspaper (officially registered in the Russian city of Smolensk) into postboxes). The judge Ina Hrabouskaya

found him guilty under Part 2 of Article 22.9 of the Code of Administrative Offenses, «Unlawful distribution of mass media» and sentenced him to a fine of 2 million rubles.

On 10 a.m. on 22 June Pavel Sviardlou, a journalist of the «European Radio for Belarus», was detained by five people in mufti and pulled into a police bus without getting any explanations. At 2 p.m. he phoned to the editorial office of the radio and stated he was at the Maskouski District Court of Minsk. The same day the judge Tatsiana Matyl sentenced him to 15 days of imprisonment for «using obscene language in public» (Article 17.1 of the CAO). Mr. Sviardlou was tried in the absence of his lawyer, who wasn't admitted to the court room as the journalist had allegedly refused from his services. The lawyer was told that he would be given an opportunity to study the case materials after the announcement of the verdict.

Restrictions of freedom of assembly

On 6 June human rights defender Uladzimir Malei, who had applied to the Malaryta District Executive Committee for authorization of the Picket «For Fair elections without Lukashenka», received a negative answer. In a letter signed by deputy chairman of the executive committee Vadzim Shpetny it is stated that according to the Law «On mass events» it is not permitted to conduct such activities within 50 meters of the buildings of executive and administrative bodies, whereas the applicant intended to hold the picket in front of the House of Culture where the culture department of the Malaryta DEC and the registry office are situated. In addition, Vadzim Shpetny pointed that according to the Law «On mass events» the source of financing of the action was to be indicated in the application. On 15 May Uladzimir Malei filed an appeal against the picket ban to the Malaryta District Court.

On 12 June the judge of the Leninski District Court of Hrodna Ala Bausuk considered an appeal of an activist of the United Civil Party Siarhei Lis against the prohibition of the picket he intended to hold on 15 May. The hearing lasted for 30 minutes. The appeal was turned down. The interests of the defendant, the Leninski District Executive Committee of Hrodna, were represented by lawyer Leanid Zhuk. Siarhei Lis solicited for the admission of Aliaksandra Vasilevich as his representative at the trial, but the judge didn't grant the motion.

On 18 June the civil activist Ryhor Hryk received a letter signed by the deputy head of the Baranavichy City Executive Committee Dz. Kastsiuke-

vich, by which he was informed about the prohibition of the picket «Stop repressive actions of authorities and officials», which he intended to hold on 24 June. The Baranavichy City Executive Committee is of the opinion that the applicant violated Article 6 of the Law «On Mass Events». However, the ideologist of the Baranavichy CEC Siarhei Piatsihortsau refused to tell the activist which norm of the article was violated in this case.

On 19 June the hearings on the appeal of the head of the Hrodna city organization of the United Civil Party Aliaksandra Vasilevich against a picket ban issued by the Hrodna City Executive Committee came to an end. She intended to hold the picket on an anniversary of the Chernobyl catastrophe, 26 April, in order to commemorate the victims and draw public attention to issues of nuclear security and ecology related to the construction of a nuclear power plant in the town of Astravets. The judge Liudmila Zhukouskaya upheld the legality of the picket ban and dismissed Vasilevich's appeal.

On 24 June the Vitsebsk human rights defender Pavel Levinau received a negative reply from the Kastrychnitski District Executive Committee of Vitsebsk. He intended to hold three pickets on 26 June, the International Day against Torture, in order to inform citizens about hte implementation of the Convention against against Torture, Cruel and Degrading Treatment, and applied to three executive committees, Kastrychnitski, Pershamaiski and Chyhunachny for the authorization of the actions. According to the law he was to received answers from them at least five days before the action. However, he received only a late answer from the Kastrychnitski DEC and no answers at all from the other two.

On 24 June civil activist Ryhor Hryk received a letter signed by the deputy head of the Baranavichy City Executive Committee Dz. Kastsiukevich, in which it was stated that the executive committee didn't authorize the picket «For elections according to the laws and the Constitution» on 1 June, as he allegedly violated the Law «On mass events». However, the committee's ideologist Siarhei Piatsihortsau again didn't wrote which norm of the article was violated by the applicant. Mr. Hryk tried to implement all requirements of the law. In his application he indicated the aim and the kind of the action, its place and date, the source of financing (personal means) and the intended number of participants (3 people) and concluded service agreements with police, communal utilities and medics.

On 30 June the Orsha authorities again refused to authorize an action of the Belarusian Leftist Party «Fair World». For the fourth time in recent

months, activists of the party have filed an application for holding pickets against the deterioration of living standards. They intended to hold the pickets in the places which had been officially determined for such actions by the authorities. It's worth mentioning that according to the rules which were established by the Orsha City Executive Committee, one can file an application for a rally or a picket only together with written service agreements with police, communal utilities and medics. The communal utilities concluded such agreement with the «Fair Worlds», whereas the chief medic of the Orsha central polyclinic Uladzimir Plytkevich stated he would do it only after the action was authorized by the authorities, who, in their turn, refused to authorize it due to the absence of the service agreement.



Natallia Pinchuk, wife of the imprisoned human rights defender Ales Bialiatski, and his sister Volha standing in a queue to pass a food parcel to the Babruisk penal colony. 6 April 2012.



Nasta Palazhanka and political prisoner Dzmitry Dashkevich have got married. Outside Hrodna prison. 26 December 2012.



Maryna Adamovich, wife of political prisoner Mikalai Statkevich, at a Solidarity action in Warsaw. 19 December 2012.



Solidarity with Mikalai Statkevich. The square in front of Kamarouski market in Minsk, 22 September 2012.



Vasil Parfiankou (on the right) near Pershamaiski District Court of Minsk. The former presidential candidate Uladzimir Niakliayeu (on the left) has come to support him. 29 May 2012.



Friends have come to the open penitentiary institution in the village of Kuplin in Pruzhany district in order to congratulate Pavel Seviarynets on his birthday. 30 December 2012.



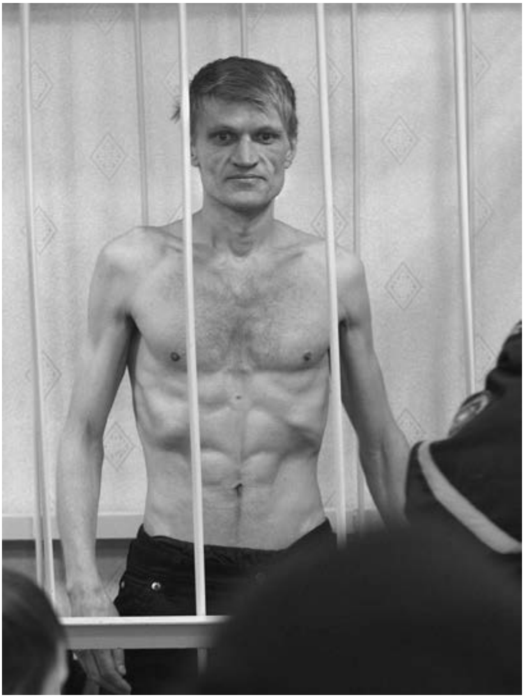
Presidential candidate Andrei Sannikau, released from jail short before, has come to the bus terminal to meet his ally Dzmitry Bandarenka. Minsk, 15 April 2012.



Meeting of Dzmitry Bandarenka at the «Uskhodni» bus terminal in Minsk on release from jail. 15 April 2012.



Andrei Sannikau (on the right) and Dzmitry Bandarenka after the first press-conference at large. Minsk, 17 April 2012.



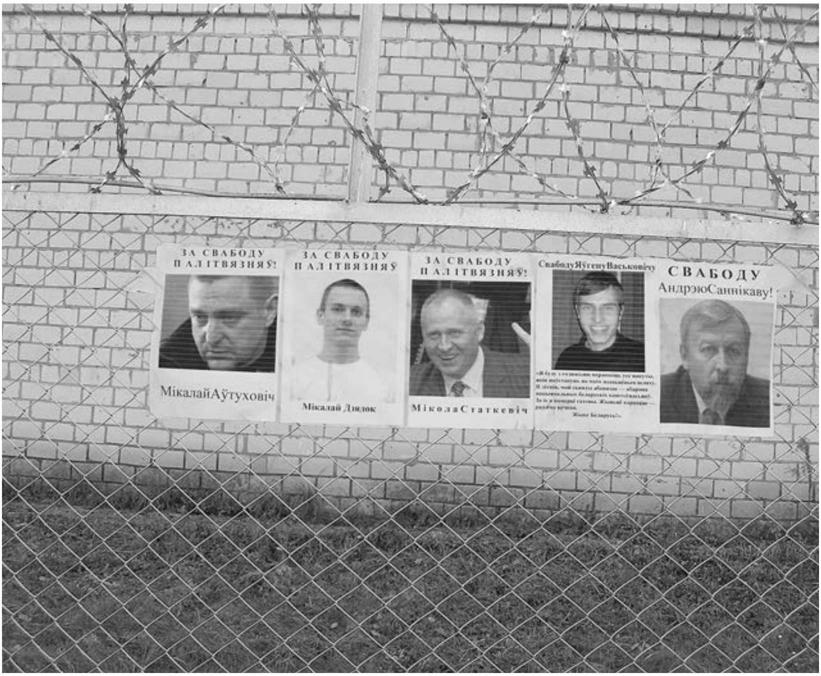
Trial of the activist of the Conservative-Christian Party BPF Siarhei Kavalenka. Vitsebsk, 21 February 2012.



Alena Kavalenka, the wife of political prisoner Siarhei Kavalenka, with the elder son Valiantsin during an action in support of the release of the husband and father, held near Yakub Kolas Drama Theater in Vitsebsk. 6 April 2012.



Pavel Syramalotau returning home to Babruisk after being release from
Mahiliou penal colony. 27 September 2012.



Solidarity with political prisoners. Babruisk.



Photo correspondent Anton Surapin has returned home after being released from the remand prison of the KGB. Slutsk, 17 August 2012.



Real estate agent Siarhei Siarhei Basharymau has been kept in the remand prison of the KGB for more than a month in connection with the «Swedish Bear Troopers». Minsk, August 2012.



A group of Swedish citizens has conducted a risky and brave action in support of the Belarusian freedom fighters. 3 July 2012.



Photo session of Belarusian journalists with teddy bears
as a sign of solidarity with photographer Anton Surapin. Minsk,
17 July 2012.



Photographer Yuliya Darashkevich before the beginning of a court hearing.
She and journalist Iryna Kozlik have been charged with «picketing by means
of taking photos» for making photos with a teddy bear. Savetski District
Court of Minsk, 9 August 2012.



Detention of journalists while performing their professional duties. Action
of the youth organization «Zmena» near «Frunzenski» department store in Minsk.
18 September 2012.



Journalist Siarhei Hryts, beaten during detention. 18 September 2012.



The journalist of the «European Radio for Belarus» Pavel Sviardlou being released from the delinquents' isolation center on Akrestsin Street in Minsk. The journalist was sentenced to a 15-day arrest on 22 June.



Correspondent for «Gazeta Wyborcza» Andrei Pachobut, charged with defamation of President, declared «Journalist of the Year». Radio «Liberty» journalist Aleh Hruzdzilovich passes greetings to the «not permitted to travel abroad» over Skype. 10 December 2012.



Press-conference of the head of the Belarusian Association of Journalists Zhana Litvina and journalist Mikhail Yanhuch in connection with the foreign travel restrictions towards them. 15 March 2012.



«Zmena» activist Pavel Vinahradau calls not to take part in early voting. A picket near «Frunzenski» department store in Minsk, 17 September 2012.



Toy protests — a wide-spread form of protest actions during the year. The photographed action was organized by the youth wing of the civil campaign «Tell the Truth» — «Zmena» on the Universal Day of Human Rights in front of the National Library. Minsk, 10 December 2012.



Ivan Amelchanka, repeatedly arrested during the year, taking part in the «Chernobyl Way» in Minsk. 26 April 2012.



«Zmena» activist Aliaksandr Artsybashau. «Chernobyl Way» 2012. Minsk, 26 April 2012.



«Young Front» activists Mikalai Dzemidzenka (on the left) and Kasia Halitskaya (in the center) at the «Chernobyl Way». 26 April 2012.



«Young Front» activists Mikhaial Muski (on the left) and Dzmitry Kremianetski (on the right), detained on the way to the trial of Siarhei Kavalenka. Vitsebsk District Court. 22 February 2012.



«Young Front» activist Mikhail Muski, forcefully drafted into the army. September 2012.



Freedom Day in
Minsk on the 94th
anniversary
of the proclamation
of the Belarusian
People's Republic.
25 March 2012.



Chernobyl Way
2012. Minsk,
26 April 2012.



Annual event in the memory of the insurgents of 1863 in Svislach.
27 October 2012.



Aleh Stakhayevich, the head of the independent trade union at the «Granite» enterprise (on the left). 2012.



Artist Ales Pushkin comes to the Supreme Court to file an appeal, carrying a portrait of Rastsislau Lapitski. 4 December 2012.



Parishioners of «New Life» holding everyday prayers for saving their temple. Minsk, 29 November 2012.



The UN Human Rights Committee recognizes abuses in the case of the death convict Uladzislau Kavaliou. In the photo: the mother of the executed convict, Liubou Kavaliova. 22 November 2012.



Human rights defender Aliaksei Valabuyeu filing an addresses to A. Lukashenka urging to introduce a moratorium on the death penalty. Salihorsk, 28 March 2012.



Human rights defender
Aleh Volchak, sentenced
to 4 days of arrest
by Tsentralny District
Court of Minsk on
charges in the use
of foul language.
30 January 2012.



Human rights defenders
Viktar Sazonau
(on the right), Uladzimir
Khilmanovich (in the
center) and Raman
Yurhel (on the left)
at an action of solidarity
with the imprisoned
Ales Bialiatski. Hrodna,
10 December 2012.



Meeting of Belarusian human rights defenders with the UN Special Rapporteur on Belarus Miklosz Haraszti. Vilnius, 12-13 November 2012.



FIDH President Souhayr Belhassen during the installation of a portrait of the imprisoned human rights defender Ales Bialiatski in front of the Mayor's Office of the 11th arrondissement of Paris. 11 May 2012.



Human rights defenders heading for the Presidential Administration to pass a petition demanding to release Ales Bialiatski and all political prisoners. Minsk, 3 August 2012.

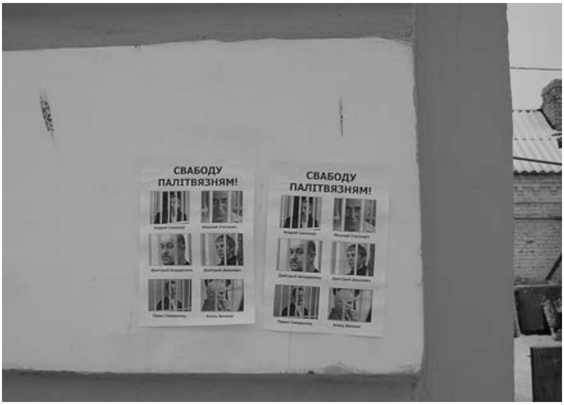






Confiscation of the office
of the Human Rights Center
«Viasna. Minsk, Nezalezhnasts
Avenue, 78A-48, 26 November 2012.







Solidarity with political prisoners in Orsha, Slonim and Polatsk. 2012.

Review-Chronicle of Human Rights Violations in Belarus in July-August 2012

In July and August, the human rights situation in Belarus deteriorated. Hopes for an easing of the political climate at the time of the parliamentary election campaign were not justified. None of the thirteen political prisoners were released. Moreover, new names were added to the list.

Vasil Parfiankou, who in February 2011 had been sentenced to four years in prison for being involved in a protest against electoral fraud during the presidential election, and pardoned by the President's decree in August of that year, was sent to serve his new sentence of six months in jail for breach of preventive supervision determined by the court. Journalist Anton Surapin and real estate agent Siarhei Basharymau were still kept in jail on charges of aiding to «illegal crossing of the state border of the Republic of Belarus». The former had posted photographs of a Swedish aircraft flying in the Belarusian airspace, and the latter leased an apartment to Swedish citizens. Political prisoner Zmitser Dashkevich, who was serving a sentence of two years in prison on charges of malicious hooliganism on the eve of the 2010 presidential election, was sentenced to another year in prison for «repeated violation of the requirements of the prison administration» ("willful disobedience to the prison administration that executes the sentence of imprisonment"). Since late June, President Lukashenka has failed to consider the clemency petitions filed by political prisoners Siarhei Kavalenka and Pavel Syramalotau. In reality, all political prisoners had the status of «persistent violators of the regime of punishment», which deprived them of any hope to amnesty and release on parole, they are regularly placed in solitary confinement and subjected to other measures of harassment in places of detention.

The Swedish action, which resulted in the arrest of A. Surapin and S. Basharymau, caused a diplomatic crisis between Belarus and Sweden, whose climax was the expulsion of the Swedish ambassador, recall of the Belarusian one in Stockholm, and the eventual suspension of both embassies. This conflict became a reason to convene on 10 August an extraordinary meeting of the EU Political and Security Committee, whose head Mr. Olof Skoog said in the follow-up of the meeting that the European Union intended to review the restrictive measures against Belarus in October, not-

ing that this situation affected not only the relations between Belarus and Sweden, but its relationship with the EU.

At the same time, the Secretary General of the Council of Europe Mr. Thorbjorn Jagland called on the Belarusian authorities to reconsider the decision to close the Embassy of Sweden and return to dialogue: «President Lukashenka's decision last Friday to expel Sweden's ambassador to Belarus over his support for democracy and human rights in the country will not help to end Belarus' isolation from the rest of Europe. Such a situation unfortunately shows the continued disregard of the authorities in Belarus for basic democratic principles and human rights.» Further on, the CE Secretary General stressed that the Council of Europe as «the guardian of democracy and human rights, will continue to do all it can to promote human rights and democracy in Belarus."

This is a very important statement, because the development of the human rights situation has been traditionally considered by the Belarusian authorities only at the political level of the country's relations with the EU and other European countries. From this point of view, the appointment of Uladzimir Makei (known as "the architect of the liberalization of 2008-2010" and one of the most active negotiators with the West) as the Minister of Foreign Affairs that came on 20 August was viewed by some experts as a signal of a possible resumption of political dialogue with the countries of Europe. This view was reinforced by the words of A. Lukashenka, who said that "work to improve the positive perception of Belarus abroad, to achieve better recognition of the country in the world requires a breakthrough." It is worth noting that the EU has repeatedly stated that Europe would not change its tough policy of limited relations with the official Minsk as long as political prisoners remain behind bars.

July and August were marked by the continued practice of arbitrary detentions and arrests of civil and political activists on trumped-up charges. The traditional forms of harassment were followed by repressive measures related to the election campaign: especial pressure was put to supporters of election boycott, participants of the election campaign and observers. Executive authorities across the country banned public events aimed at informing about the non-free nature of the elections, as well as calling for a boycott.

Particular pressure was used against human rights defenders and human rights organizations. The authorities did not authorize any of the actions of solidarity with the imprisoned leader of the Human Rights Center «Viasna»

Ales Bialiatski and other political prisoners, planned by human rights activists across the country. Means of harassment of human rights defenders varied: abductions and arbitrary detentions, summons and preventive supervision by the KGB, administrative proceedings, initiation of organizations' dissolution. The only positive indicator in relation to the human rights defenders was their exclusion from the list of persons prohibited from leaving the country.

Pressure and harassment was still used against journalists, including the common practice of criminal prosecution for expressing opinions, detentions and administrative penalties for the performance of their professional duties, issuance of prosecuting warnings.

An important assessment of the human rights situation in Belarus was the Resolution adopted by the Human Rights Council on 5 July, which called on the Belarusian authorities to «immediately and unconditionally release all political prisoners», to conduct "a full and transparent investigation into all allegations of torture and ill-treatment of political prisoners", "to immediately put an end to the practice of administrative detention of opposition and civil society activists, journalists and human rights defenders and not to interfere with their free movement, including travel outside the country." The document called on the official Minsk to implement all the recommendations contained in the Report on the situation in Belarus of the UN High Commissioner for Human Rights, which was presented at the Council's session on 27-28 June. The same resolution introduced the mandate of the Special Rapporteur, who was authorized to maintain an ongoing dialogue with Belarus on the situation of human rights in the country, to provide a competent analysis of the current problems, which could help to improve the implementation and protection of human rights in Belarus in accordance with the international standards recognized by the country. In turn, the Permanent Representative of Belarus to the UN in Geneva Mikhail Khvastou accused the European Union, who initiated the mandate of the Special Rapporteur, of the political motivation of the decision, saying that "the motives of the EU initiative are in no way related to human rights. By doing this, the EU promotes to the Council its political agenda and makes the High Commissioner act for that purpose. The main task that the EU charges the mandate with is deliberate anti-government activities in Belarus under the cover of the UN." Khvastou then said that Belarus did not recognize the Special Rapporteur and would not interact with him or her.

At the same time, the Belarusian human rights community welcomed the decision of the Human Rights Council as very positive, describing it

as a clear signal to the international community to support the rights and freedoms in the country. According to human rights defenders, the Council pointed out that torture and impunity, trumped-up cases and violations of freedom of speech, freedom of association and other gross violations of human rights will not be accepted with silence and indifference, while the voices of the civil society activists will become more audible.

Political prisoners, politically motivated criminal prosecution

On 6 July the KGB arrested and took into custody in the KGB remand prison real estate agent Siarhei Basharymau, and on July 13 – photographer Anton Surapin. On 16 and 23 July, respectively, they were charged under Par. 6 Art. 16 ("assistance in committing a crime") and Par. 3 Art. 371 ("illegal crossing of the state border of the Republic of Belarus") of the Criminal Code. This was the KGB's reaction to Anton Surapin's publication of a number of photos of a Swedish aircraft flying in the Belarusian airspace, which was held on 4 July. Even more absurd were the charges brought against Siarhei Basharymau, who let an apartment to Swedish citizens, for alleged aiding to the crossing of the state border of the Republic of Belarus. These arrests were seen as an attempt to shift the responsibility for improper protection of state borders and the country's airspace on ordinary citizens. Information of the charges against A. Surapin and S. Basharymau appeared on the official website of the KGB only on 7 August. It noted that "in the interests of an unbiased investigation of the criminal case and figuring out all details of intrusion into the airspace of the Republic of Belarus and the Republic of Lithuania, the State Security Committee offers the Swedish citizens, who took part in organizing and performing the illegal border overflying, to arrive in Minsk as suspects to take part in the investigative procedures, including face-to-face interrogations. Final procedural decisions in relation to the Belarusian citizens involved in the criminal case will be made after that.» By releasing the statement, the KGB confirmed that A. Surapin and S. Basharymau were hostages in the case. On 17 August A. Surapin and S. Basharymau were released on recognizance. The KGB's statement said that "Siarhei Basharymau and Anton Surapin remain in the status of accused, because the necessary investigations, including the holding of a confrontment, were not carried out due to the refusal of the Swedish subjects to appear at the Investigation Department. Final proceedings in respect of the citizens of Belarus, accused in this criminal case, will be taken only after the full understanding of the circumstances of the investigated crime."

In early July Mikalai Statkevich served a 10-day penalty in solitary confinement in prison No. 4 in Mahiliou. The prisoner continued to be subjected to pressure from the administration (and other prisoners who cooperated with the administration) forcing him to write a petition for pardon. M. Statkevich received the status of "a persistent violator of the regime", he was not allowed any visits by his family, was deprived of food parcels and walks. On 12 July the maximum security regime of detention was extended on the political prisoner. On 12 August Mikalai Statkevich turned 56.

On 7 July it was reported that Siarhei Kavalenka had been recognized «a persistent violator of the regime» by the administration of Mahiliou penal colony No. 19, where he is serving his sentence. The clemency petition, written by Kavalenka in late June to the head of state, without admitting his guilt, was not considered until the end of August. From 28 July to 14 August, the political prisoner was held in a penal cell, where he was placed after a long visit with his relatives. After 16 days in the punishment cell S. Kavalenka was taken to the medical unit in a deteriorating state of health.

In July and August the authorities continued to put pressure to the imprisoned head of the Human Rights Center "Viasna" Ales Bialiatski. A person released from the prison in Babruisk said that, among other things, the administration punished the prisoners for merely talking with Bialiatski – they faced a transfer to another unit or denial of benefits. On 4 July Partyzanski District Court of Minsk ruled to seize the apartment occupied by the office of Human Rights Center "Viasna" for 12 years and registered as Ales Bialiatski's real estate, as well as part of the human rights defender's private property. On 17 July Minsk City Court dismissed Ales Bialiatski's appeal against an earlier decision of Pershamaiski District Court of Minsk to exact from him a penalty in the amount of 140 million rubles for the late payment of debts. The decision to collect the fine was issued by Judge Volha Bahamya on 29 March in a civil lawsuit by Pershamaiski District Tax Inspection; neither Ales Bialiatski nor his family knew anything about the civil suit, the human rights defender's lawyer was not invited to the trial, either. On 5 August the administration of Babruisk penal colony No. 2 imposed another penalty on Ales Bialiatski for taking a loaf of bread out of the dining room; a week before he was charged with curtaining his bed. For these violations Ales Bialiatski was deprived of regular food parcels and a short visit with family, scheduled on 15 August. The complaint to the Department of Corrections filed by A. Bialiatski's wife against the severity and the disproportionate amount of punishment remained unmet and the human rights defender remained in the status of «a persistent violator of the regime».

On 23 July the mother of political prisoner Aliaksandr Frantskevich, who is serving a sentence in colony No. 22 near Ivatsevichy, said that the administration was putting pressure on the political prisoner through threats to other prisoners, one of the prisoners was even placed in a punishment cell. By doing so, the authorities attempt to isolate him and deny contacts with people. It is known that the pressure on him increased after the colony was visited by Aliaksandr Litsvinski, head of the Main Department for Combating Organized Crime and Corruption of the Interior Ministry, who was in charge of the crack-down on anarchists back in the autumn of 2010. Previously Aliaksandr Litsvinski visited another political prisoner, Mikalai Dziadokm to inquire if he was ready to ask for a pardon. The answer was no. After that Mikalai received the status of «a persistent violator of the regime», and was later transferred to Shklou colony No. 7, where the pressure was further increased. Aliaksandr Frantskevich also received the status of «a persistent violator." In early August, he was placed in a penal cell for 10 days.

On 24 July the panel of judges of Minsk City Court dismissed Vasil Parfiankou's complaint against the arrest for 6 months for non-compliance with preventive supervision set by the court (Article 421 of the Criminal Code). At the same time, the judges chose not to apply to V. Parfiankou Article 107 (Par. 1) of the Criminal Code ("use of coercive measures of security and treatment of persons suffering from chronic alcoholism, drug addiction and substance abuse"). On 9 August Vasil Parfiankou was placed in detention center No. 1 in Minsk, where until 16 August he awaited transfer to the arrest house No. 6 in Baranavichy, where he was sent to serve his sentence.

On 3 August the reception office of the Presidential Administration received a petition signed by Belarusian human rights defenders and civil society leaders, demanding the release of Ales Bialiatski, head of the Human Rights Center «Viasna» and vice-president of the International Federation for Human Rights, as well as the other Belarusian political prisoners. The reply by the head of the public appeals department Stanislau Buko that came on 22 August said that "under the Constitution, the judicial power in the Republic of Belarus belongs to the courts. Judges are independent in decision-making in the administration of justice and are subject only to the law. Other state agencies and officials are not vested with such powers." The reply also states that "any interference in the work of judges in their administration of justice is prohibited and punishable by law."

In late August Mikalai Autukhovich received an opportunity for a short meeting with the family, whom he had not seen for almost a year. They were

allowed to talk on the phone for one and a half hours through the glass. The political prisoner said that he was reading a lot in prison, writing letters and trying to learn English.

On 28 August penal colony No. 13 hosted a sitting of a circuit court in the new criminal case against political prisoner Zmitser Dashkevich on charges of disobeying the prison administration (Par. 1, Art. 411 of the Criminal Code). The meeting was held behind closed doors. The case involved about 40 witnesses – policemen and prisoners. Zmitser Dashkevich waived defense. As a result, Hlybokaye District Court sentenced the political prisoner to one more year of imprisonment, which is set as the maximum term. At the same time, the sentence included the four months, which were yet to be served by Zmitser under the previous verdict. Thus, Zmitser Dashkevich may not be released before August 28, 2013.

On 28 August the country's law-enforcement agencies extended the investigation of the criminal case against correspondent of the Polish "Gazeta Wyborcza" Andrei Pachobut under Par. 2 Art. 367 of the Criminal Code ("defamation of President"). The journalist was arrested in Hrodna on 21 June and held in prison until 30 June, when he was released on recognizance.

Harassment of human rights defenders

On 19 July the KGB put on preventive register the human rights defender Andrei Bandarenka, head of information and educational institution «Platform». On the same day Bandarenka was taken to the KGB, where he was shown the order of registration preventive register. He was then offered to sign the document. His request to provide a copy of the decision was dismissed. Bandarenka was asked to review all the documents in the case and take necessary notes. His request for a pen and paper to take notes was also rejected by the KGB agents.

On 20 July Tsentralny District Court of Minsk considered the complaints of the deputy head of the Human Rights Center «Viasna» Valiantsin Stefanovich and the head of information and educational institution «Platform» Andrei Bandarenka against the actions of the Ministry of Defense and Ministry of the Interior to add their names on frivolous grounds to the data bank of the citizens of Belarus, whose right to leave the Republic of Belarus is temporarily restricted. Aliaksei Biahun, representative of the Ministry

of Internal Affairs, head of the Department of Citizenship and Migration, provided the court with certificates about the exclusion of Stefanovich and Bandarenka from the data bank, dated 20 July. He also told the court that the Interior Ministry officials had not made decisions on adding the human rights defenders to the database, but referred to a technical failure instead. Aliaksei Biahun refused to comment on how this happened and who was to blame for the failure. The representative of the Ministry of Defense, Major of Justice Leanid Valcheuski stated that his office had not filed information on Stefanovich's and Bandarenka's entry into the database because of alleged military service evasion. Judge Alena Siamak rejected all the motions by the plaintiffs, including that to initiate a forensic examination of computer equipment to establish the causes of the failure in the database referred to by representatives of the Interior Ministry. Valiantsin Stefanovich's petition of removal of the Judge, who for five months, in violation of the Code of Civil Procedure, could not set a date for the hearing, was not met by the court, either. After hearing the plaintiffs in the case, the state officials whose actions were challenged, as well as the public representative Hary Pahaniayla, Judge Siamak ruled to dismiss the complaints of Valiantsin Stefanovich and Andrei Bandarenka.

On 20 July a court in Minsk was expected to hear a similar complaint by Aleh Hulak, the head of the Belarusian Helsinki Committee, but the trial was postponed to 31 July, when the debate speakers included Aleh Hulak, his representative – human rights defender Hary Pahaniayla, a representative of the Ministry of Justice, which did not mention his name to the court, and a representative of the Ministry of Internal Affairs Aliaksei Biahun, head of the Department of Citizenship and Migration. Aleh Hulak said that the authorities illegally put him in the database and restricted his right to travel. He noted that while the court failed to find out who did it, the fact was admitted even by the Ministry of the Interior. Aleh Hulak said that there were no legal grounds to restrict his right to leave the country, and the Ministry of Interior and the Ministry of Justice should be responsible for their actions. According to Hulak, this was caused by discriminatory reasons. He cited as an example the fact that 17 more people known for their political opposition activities – famous human rights activists, lawyers, and journalists – were also included in this list. Aliaksei Biahun admitted in the debate that there really was a fact of technical failure, which resulted in Aleh Hulak being added to the list of persons restricted to travel abroad. But, according to Aliaksei Biahun, the database includes about 100,000 people, and only 50 people found their names there by mistake. The Interior Ministry official present in

court said that after these proceedings Aleh Hulak was removed from the list of persons restricted to travel abroad.

On 26 July Savetski District Tax Inspection of Minsk fined the head of the information and educational institution «Platform» Andrei Bandarenka for late submission of papers on income tax. According to the human rights activist, «Platform» submitted the entire tax reports in March, as required by the law. "However, as it turned out, our report was "lost" somewhere and they had not remembered of it until now. On 24 July we filed the report again. On 25 July the tax inspector called me and asked to appear at 6 p.m., we agreed that I would come. However, at 4.30 my apartment was visited by employees of law enforcement and prevention department No. 66 of Savetski District and presented a warrant compelling my appearance at the Tax Inspection. They said they could only do it in their car," said Bandarenka. As a result, the tax authorities imposed on "Platform» a fine of 500,000 rubles and a 200,000 fine on Bandarenka as the head of the institution.

On 31 July Alena Krasouskaya-Kaspiarovich, deputy director of the information and educational institution «Platform», was reported missing by her associates. «Platform» employees were last spoke to her at about 3 p.m., after which the connection was broken, and her whereabouts were not known. On 1 August, after the incident was reported to the police, it turned out that the human rights defender was in the center of delinquents' isolation in Minsk. It was not until 2 August, when the human rights defender was visited by her lawyer who learned that Alena Krasouskaya-Kaspiarovich had been arrested near her house and charged with hooliganism. The human rights defender associates were told that on 3 August Partyzanski District Court of Minsk would hear the charges, but in the first half of the day, Alena Krasouskaya-Kaspiarovich was stolen from the detention center by unidentified plainclothes persons, taken in a car without license plates outside the city and released without explanation.

On 14 August human rights defender Uladzimir Malei was summoned to Leninski District Police Department of Brest, where the trial was held into his jogging on 4 August in the streets of the city in a T-shirt with the image of Ales Bialiatski in solidarity with the arrested head of the Human Rights Center «Viasna» and other political prisoners. Uladzimir Malei explained to the law enforcement officials that the public order was not broken, and he did not abuse anyone by his jogging. As a result, the administrative proceedings were discontinued.

On 17 August member of the Human Rights Center «Viasna» Tatsiana Reviaka was summoned to the KGB central office for questioning "as a person being aware of circumstances that have significance for maintaining the national security of the Republic of Belarus". The interrogation was conducted by Captain Aliaksandr Rubinau (during previous searches at the office of the Human Rights Center «Viasna» and in the case file of Ales Bialiatski this person was known as Matskevich) and senior investigator Aliaksandr Breyeu. The interrogation concerned an article about interference of the Mahiliou KGB with the electoral process. KGB officer Aliaksandr Rubinau also inquired on the source of the information and its author. He then asked whether Tatsiana Reviaka checked the data mentioned in the article. The human rights defender was warned that in case the information concerning the security services mentioned in the article failed to be confirmed, it would be viewed as discrediting a public authority and the Republic of Belarus in general, but it was noted that for the moment the issue of criminal proceedings on the charges was not under discussion.

On 21 August the Court of Baranavichy fined local human rights defender Siarhei Housha 1.5 million rubles after Judge, as Judge Vasil Petryu found the Mr. Housha guilty of «using foul language in public» while talking to chair of constituency election commission No. 5 Mrs. Tatsiana Latyshava back on 23 July. The charge was related to the events that occurred on 10 July, when observer Siarhei Housha attended the first meeting of the constituency election commission No. 5 and examined the minutes of this meeting. Noticing certain inconsistencies in the report, on 23 July S. Housha addressed the commission's chair Latyshava with a comment on the errors found. As a result, the observer was accused of disorderly conduct. Despite the fact that Siarhei Housha presented in court a recording of his conversation with the chair of the commission, which did not contain any foul language, the judge found him guilty.

On 24 August a police patrol in Zhodzina detained human rights defender Aliaksei Lapitski for photographing policemen. The patrol's head A. Manko called a car for support. The police officer P. Yasinevich ordered his subordinates to continue patrolling and, after a short conversation with the human rights activist and checking his passport details, said that Aliaksei Lapitski was not detained and he could be free.

On 31 August it was reported that the information and educational institution «Platform», which protects the rights of prisoners, was under the threat of closure. This initiative was launched by Savetski District Tax Inspection of Minsk on the basis of alleged violations by «Platform» the deadline for

submission of the income tax declaration and failure to notify the Inspection of a change in location. The hearing is scheduled for September in Economic Court of Minsk.

Torture and cruel treatment

On 7 July activist of the «European Belarus» movement Alena Semenchukova urged Vitsebsk Region Prosecutor's Office to force the Ministry of Interior's local department improve prison conditions in the detention center of Vitsebsk. In her complaint, the girl said that the center's detention conditions constitute degrading treatment of the people who are held there. "There are no sleeping berths in the cell, or any furniture at all. The administration of the temporary isolator refused to accept a parcel with warm things, water any hygienic means for me, that's why I had to lie down on the floor in a white T-shirt, jeans and in ballet slippers. It was impossible to fall asleep, as it was rather cold. It was stuffy in the cell, as it is not aired. The light of the lamp kept dazzling all night, as it was not turned off. It was also impossible to turn down the volume of the radio. I was brought food for the first time in the morning of the day after the detention. I had to eat on the floor with dirty hands, as I was given no soap and towel. I was unable to use the toilet, as the sink had no waste tank and was located in the area of the guard's vision,» said the activist. Alena Semenchukova spent in the detention center 10 days for distributing leaflets.

On 20 July the parents of Pavel Plaksa, who was arrested on suspicion of a theft on 30 May 2012 and held in Zhodzina remand prison, eventually received a reply to their numerous complaints of torture against their son by employees of Leninski District Police Department of Minsk. The investigative Committee refused to initiate criminal proceedings. Following a number of complaints submitted by the parents to the House of Representatives' Standing Committee for Human Rights, National Relations and Mass Media, the Prosecutor General, the Prosecutor of Leninski District, as well as two statements from Pavel Plaksa himself, an inspection was carried out, says the reply from the Investigative Committee's Minsk Leninski District Department signed by investigator Major I. Mukasei, which goes on to say that it will not open a criminal case referring to Par. 2-1 Art. 29 of the Code of Criminal Procedure, that is, for the absence of corpus delicti in the actions of the policemen.

According to Pavel Plaksa's father, the inspection file does not even hint at torture of his son: it argues that Pavel's injuries were caused by his

resisting arrest at home. However, it says nothing about the fact that he was beaten in the police department. “The policemen only recorded in a register that truncheons had been used, although the bruises are 25-36 centimeters wide, go from the buttocks to the thighs; there are scratches and bruises all over his body, the wounds are enormous. They were afraid that he would once again begin to resist, and kept him handcuffed day and night – that’s what they write. The operatives themselves testified that the handcuffs were removed only when signing the papers,” says Pavel’s father. What happened right before the signing of police papers was told to his parents by Pavel himself. “Within a few days he was tortured day and night. He was beaten up, a pack was put on the head to block the air, no food was given, he was not let out to the toilet. He was tortured in turns, in shifts,” Pavel’s father. “There was a policeman named Raman who was especially brutal. He poked Pavel's face with his ID and said: “You do not get out of here alive, and no one will know you are dead.” And it is under pressure from policeman Raman that Pavel Plaksa signed a refusal to be taken to hospital when the ambulance came.

Human rights defenders have repeatedly criticized the efficiency of investigations into police-related abuses conducted by the employees of the same law-enforcement bodies. In Pavel Plaksa’s case, his parents’ complaint against personnel of Leninski District Police Department was redirected to the Investigative Committee’s Minsk Leninski District Department, i.e. the body in charge of investigating the charges brought against Pavel, where former employees of the Police Department work.

After studying the results of the inspection by the Investigative Committee, Pavel Plaksa’s parents decided to appeal the decision at Leninski District Prosecutor’s Office of Minsk.

Pressurization of social and political activists by security services

On 6 July a former employer of Maladechna activist Tatsiana Balabanskaya received a phone call from the KGB who inquired whether she still worked there. During the previous local councils elections in 2010 Tatsiana Balabanskaya was dismissed from her job as an engineer in the Maladechna forestry on the initiative of its director Anatol Yermalovich the day after Tatsiana applied for registration as a candidate. The new round of harassment by the KGB is associated with the beginning of the campaign for parliamentary elections.

On 14 August Uladzislau Yarashou, a collector of signatures in support of the candidate of the Movement «For Freedom» Uladzimir Punchanka, said his home had been visited by a KGB officer, who asked questions about how much the activist was paid for a signature, who managed and organized the process. The man who introduced himself as KGB officer threatened Uladzislau, a student of the Kuliashou Mahiliou State University, with expulsion for his work in the team of the opposition candidate; he also proposed cooperation with the KGB. On 16 August, a day after the incident was reported on the Internet, Uladzislau Yarashou received a call from the KGB and asked to come for a conversation. The youth refused to meet without a writ. The writ was shortly served on Uladzislau and a car took the student to the KGB office. The conversation lasted for nearly an hour. Uladzislau described the unknown person, who named himself as a KGB agent, told what he was asked and said that he refused to give his name. Uladzislau Yarashou eventually signed an undertaking not to disseminate false information.

On 17 August Babruisk UCP leader Viktar Buzinayeu was summoned to the KGB. The conversation with KGB agent Pavel Silkou lasted for about three hours. The activist was warned against organizing an action, he was told that even if he put on a T-shirt with a slogan and went walking around the city, it would be viewed as an unauthorized action. And for this, according to the KGB officer, Viktar Buzinayeu could face charges under Article 342 of the Criminal Code («Organization and preparation of activities that breach public order or active participation in them»), and a sentence of up to three years of imprisonment.

On 24 August Dzianis Dashkevich, Rahachou activist of the «Tell the Truth!» civil initiative, was summoned to the local department of the KGB, where he was held for almost 4 hours. The activist was forced to sign a paper saying that he was involved in financial swindle, namely in taking money for organizing weddings in dollars, not rubles, and helped his fellow entrepreneurs to organize such celebrations. A similar conversation was also carried out with Dashkevich's wife, who was released from the KGB earlier. The KGB officers told Dashkevich that he might face criminal charges, and the information on his activities would be transferred to the tax inspection.

On 30 August the police detained the administrators of a number of opposition communities in the vk.com social network. On this day, the mother of Pavel Yetsikhiyeu was visited by two persons in civilian clothes, who without showing any documents said she would be taken home in the case

of his son. At the entrance four more persons were waiting for them, KGB agents as described by the woman. They went up to the apartment and in the presence of the woman questioned Pavel. They were interested in his relations with a certain Raman (probably Pratasevich) and his involvement in the Internet-based community «Liapis Trubetskoy – Free Concert in Minsk.» They also asked for a password to the community account. Then the police were called, who took Pavel and his home computer away. After his mother objected to the arrest, she was shown an ID of a police captain Aliaksandr Makarau. No reports were drawn up during the arrest. On 31 August Pavel Yetsikhiyeu was taken to Kastrychnitski District Court of Minsk and sentenced to five days in jail on charges of hooliganism.

Andrei Tkachou, the administrator of an online community called «Only SHOS!», whose girl-friend's apartment was searched and a laptop was confiscated, was also accused of disorderly conduct and sentenced to seven days in jail.

Raman Pratasevich, the head of the community «Liapis Trubetskoy – Free Concert in Minsk,» was released after four hours of interrogations, threats and beatings, since he is a minor.

Another administrator of the online community Siarhei Biaspalau, who had been warned by his friends, managed to avoid arrest and had to leave Belarus.

Vitsebsk law-enforcement agents arrested moderator of the Internet community «We are Sick and Tired of this Lukashenka» Aleh Shramuk. According to the activist, there was a ring at the door and an unknown woman offered to buy poison for mice. Shramuk refused, but after some time, the same woman came again. When Aleh opened the door, riot policemen broke into the apartment. Without any explanations, they took Aleh, saying that they were employees of Kastrychnitski DPD. His wife Alesia Shramuk was also questioned. After almost a 24-hour interrogation, Aleh Shramuk was released, and the online community was deleted.

On 30 August Dzmitry Audzeichyk, head of Hrodna Kastrychnitski district branch of the United Civil Party, as well as his friend Yauhen Shviadzko, reported pressure from the security services. According Audzeichyk, he and Shviadzko were arrested a week earlier while posting homemade leaflets calling for a boycott of the elections. Audzeichyk said that they had been tracked down by a man in civilian clothes, who called the police.

The detainees were taken to the police station in Hai Street, held there for three hours and forced to provide written explanations. The activists were threatened with criminal liability, considering that the content of the leaflets had «anti-state character.» The activists expected their cases to be heard in court. However, according to Dzmitry Audzeichyk, Yauhen Shviadzko recently received a call from the KGB and told that both activists would soon be summoned for explanations.

Administrative prosecution of civil and political activists, arbitrary detentions

On 2 July mass media reported about detention of Yahor Viniatski, activist of "Zmena", the youth wing of the «Tell the Truth!» civil campaign. On 30 June he received a phone call from Pershamaiski District Police Department of Minsk and was invited to appear in connection with a laptop he reported to have been stolen. But in the end he found himself in the delinquents' isolation center in Akrestsin Street, after being charged with an administrative offense. On 3 July Yahor Viniatski was taken out to Pershamaiski District Department of Internal Affairs for a preventive conversation, but the conversation did not take place. After 5 hours of waiting the youth activist was released, but warned that he would be summoned to court by a special order.

On 3 July, during the national holiday of Independence Day, Baranavichy law-enforcement agents arrested youth activist Artsiom Babei. They were following him since the morning, but detained the activist near the park in Kamsamolskaya Street. The policeman said that he looked like a criminal and took him to the police station in the same street. The search was joined by Major Kulhavik, who had warned the activist against participation in so called silent protests in 2011. The activist was held for about an hour and then released without charges.

On 24 July Pershamaiski District Court of Minsk heard the case of Andrei Mouchan, activist of the «European Belarus» movement, who on 19 May in a sign of solidarity with the imprisoned opposition activist Siarhei Kavalenka of Vitsebsk displayed a white-red-white flag in Minsk, for which he was severely beaten by police. He was charged under Article 23.34 of the Administrative Code ("unauthorized picketing"). Judge Siarhei Liushtyk found Andrei Mouchan guilty and sentenced him to a fine of 280,000 rubles, ignoring the fact of beating Mouchan confirmed by medical evidence.

On 4 July the judge of the Kastrychnitski District Court of Vitsebsk Ina Hrabouskaya awarded two fines, each of 1,200,000 rubles, to activist of the «Young Front» movement Yauhen Hutsalau, who was detained on 3 July for distributing leaflets calling for a boycott of the elections and placed overnight in a detention center. The young man was charged with two offenses: "organizing an unsanctioned rally" and "disobeying police".

On 5 July 5 Judge Ina Hrabouskaya sentenced the activist of the «European Belarus» movement Alena Semianchukova with 10 days of arrest. The 22-year-old girl had been arrested back on 29 June while distributing leaflets calling to boycott the elections. The trial began on 30 June, but the judge postponed the hearing, so that Alena could sign an agreement with a lawyer.

On 12 July Orsha police arrested activist of the civil campaign «Our House» Yanina Liasneuskaya. The police officers said they suspected her of distributing works that promoted violence and cruelty (Article 17.8 of the Code of Administrative Offenses), namely a children's coloring book «My Dad is a policeman. What does he do at work?» After a conversation with the police, Yanina Liasneuskaya was charged with an administrative offense and then released.

On 17 July the judge of the Pershamaiski District Court of Minsk Alena Ananich considered the administrative case of Leanid Mazhalski who protested against the construction of homes for special police employees in Minsk's Uruchcha residential area. Mazhalski was arrested on 5 July, when he tried to prevent the builders from setting a construction site. Mazhalski was charged under Article 17.1 ("disorderly conduct"), 23.4 ("disobeying a lawful order or requirement of a person in the discharge of official duties"), and 23.34 ("violation of the order of organization or holding of mass events or picketing") of the Code of Administrative Offenses. Under the first charge, he was sentenced to two days of administrative arrest, under the second – sentenced to a fine of 2 million rubles, and under the third – sentenced to three days in jail.

On 17 July, on the eve of Russian Prime Minister Dmitry Mededev's visit to Minsk police detained Ivan Amelchanka, activist, author of the acclaimed performance «Musarok» («Cop»). After about 11 a.m., Ivan left the house for a meeting, and after 1 p.m. it became known that he was taken to Leninski District Court of Minsk and he accused of disobeying the police (Article 23.4 of the Administrative Code). Judge Zapasnik sentenced Ivan Amelchanka

to 12 days of administrative arrest. On the day of his detention and arrest, Ivan Amelchanka was going to visit the constituency election commission to register his initiative group to be nominated as a candidate for the House of Representatives. However, having the experience of preventive detentions (in the last two months Amelchanka spent behind bars a total of 40 days), it was decided to send the documents for registration by mail. The constituency commission received the documents, but refused to register the initiative group, precisely because the documents were not delivered in person.

On 17 July the police detained «Young Front» activists Uladzimir Yaromenak, Raman Vasilyeu and minor Raman Pratasevich (later released). Uladzimir Yaromenak and Raman Vasilyeu were taken to Kastrychnitski District Court of Minsk and accused of using foul language: at 7.40 a.m. they were allegedly swearing in the streets of Babruisk. Judge Lapko punished Raman Vasilyeu with a 12-day arrest, the witnesses were police officers Tsiunis and Drazdou. Uladzimir Yaromenak was sentenced to 15 days of prison. Kasia Halitskaya, who came to the House of Justice to support the activists, was detained in the court building, charged with using foul language and spent the night in the Delinquents' Isolation Center. On 18 July the judge of Maskouski District Court of Minsk Tatsiana Motyl sentenced Kasia Halitskaya to 10 days of administrative arrest, the witnesses were riot policemen Yauhen Baradach and Dzmitry Tarashkevich.

On 18 July Tatsiana Novikava, a coordinator of the Belarusian antinuclear campaign, and nuclear physicist from Russia Andrey Ozharovsky were sentenced to arrests of 5 and 10 days respectively on charges of disorderly conduct as a result of a trial at Leninski District Court of Minsk. The activists of the anti-nuclear campaign were planning to pass to the Russian embassy in Minsk an appeal against the signing of the contract for the construction of a nuclear power plant in Astravets. The signing was scheduled during the visit to Minsk of Russian Prime Minister Dmitry Medvedev. Tatsiana Novikava is chronically ill, she has her thyroid gland removed, and she cannot live without the continuous use of special medications.

On the same day, Minsk police detained head of the Public Association «Eco House» Iryna Sukhiy, who is also an activist in the anti-nuclear campaign, and coordinator of the monitoring group of the Center for Legal Transformation Mikhail Matskevich. After being charged with disorderly conduct (Art. 17.1 of the CAO), they were taken to Tsentralny District Court. Judge Yakunchykhin sentenced Iryna Sukhiy to a fine of 1.5 million rubles, Judge Yesman sentenced Mikhail Matskevich to three days' imprison-

ment. Witnesses in the case were policemen Anton Litsvinka and Bahdan Zhokun.

On 19 July Tsentralny District Court of Minsk considered an administrative action activist of the LGBT movement Varvara Krasutskaya, who was accused of disorderly conduct (Art. 17.1 of the CAO) and fined 700,000 rubles (Judge – Viktoryia Tkachova). Varvara was detained near Minsk's Kastrychnitskaya Square in the afternoon of 18 July. The reason for the detention was a T-shirt «Free Ales Bialiatski!» The activist was taken to Tsentralny District Police Department, and after being charged, was taken to the delinquents' isolation center.

On 24 July Pershamaiski District Court of Minsk considered an administrative action activist Andrei Mouchan, detained in the night of 14 July for distributing leaflets. The case was considered by Judge Siarhei Liushtik. A. Mouchan was charged under two articles of the Administrative Code: 23.14 ("violation of urban environment restrictions") and Art. 17.1 ("disorderly conduct"), and punished by a fine of 1 million rubles. The witnesses were police officers of the Guard Department Viktar Samutsenka and Yauhen Burak.

On 26 July representatives of a number of human rights organizations of Belarus sent a joint letter to Prosecutor General of the Republic of Belarus Aliaksandr Kaniuk and head of the Supreme Court of Belarus Valiantsin Sukala requesting a meeting to discuss the situation with illegal preventive detentions of civil society activists and representatives of youth opposition groups and demanding to put an end to this illegal practice and bring the perpetrators to justice. The appeal says that in recent years in Belarus on a regular basis ahead of mass events or arrivals of high-ranking officials of foreign countries there have been numerous arbitrary detentions of civil society activists and representatives of youth opposition groups, who were usually accused of disorderly conduct, and then on the testimony of the police courts punish them with administrative arrests. According to the human rights defenders, such methods are used to preventively isolate the activists at the time of certain socio-political events. The human rights activists said that this practice should be considered as arbitrary detention, while these actions are contrary to the principles of the rule of law, involving the police and judges to participate in the political persecution of citizens.

On 7 August the Human Rights Center «Viasna» received a reply to its appeal from the General Prosecutor's Office. The head of the Department

of Supervision of the Rights and Freedoms of Citizens M.V. Papova limited her letter to a bureaucratic formal reply, saying that «taking into account that you are not a person who was legally delegated the right to represent the people mentioned in the appeal, there are no sufficient grounds to consider your appeal on its merits.» However, human rights defenders didn't seek to represent interests of citizens in any administrative trials, they just asked for a meeting with the Prosecutor General and the head of the Supreme Court with the aim to discuss the situation, get the unlawful practice stopped and the perpetrators punished. The procuracy hasn't given a substantial answer, though.

On 27 July, the day of the signing of the Declaration of Sovereignty, on the steps of Pershamaiski District Court of Minsk the police arrested a 65-year-old activist Nina Bahinskaya, who, as a sign of celebration and protest against illegal trials, displayed a white-red-white flag. Thirty minutes later, a police car pulled up, which took Nina Bahinskaya to Pershamaiski District Police Department, where a woman was released three hours later.

At about 8 p.m. on 31 July outside the central railway station in Minsk police detained the activists of the «European Belarus» movement Aliaksei Tsioply and Mikita Kavalenka, who were handing out the newsletter «Charter 97.» After three hours of detention, the activists were released without charges.

On 4 August Zhodzina police detained Andrei Zubro and Siarhei Khamutsinin, who were wearing T-shirts with the inscription «Freedom for Ales Bialiatski!» The reason for the detention was the need to check their identities. After a short conversation on the inadmissibility of participation in unsanctioned public events, the activists were released without charges.

On 4 August Barysau police detained the deputy head of the United Civil Party Leu Marholin and a member of his electoral team, Mikhail Vasilyeu near the major Barysau supermarket “Vesta”, where they were collecting signatures in support of Marholin's candidacy. A banner “For free elections without Lukashenka” was hanged out at the picket together with a photo of Marholin, and the signers were asked to sing not in support of Marholin, but for fair elections. The detainees were charged under Article 23.34 of the Administrative Code, «holding an unauthorized mass event.» On 8 August the judge of Barysau District Court Iryna Pasiuk ruled to impose a fine of two million rubles on Mikhail Vasilyeu and three million rubles on L. Marholin.

On 5 August the Navapolatsk police detained activist of the NGO «Free Region» Aliaksandr Drazdou with a banner «Freedom for Bialiatski!». After being taken to the police department, the activist was searched and warned of liability for unauthorized actions. The question remains as to where the police found out about the activist's intentions.

On 22 August Savetski District Court of Minsk heard the administrative case of activists of the Belarusian Christian Democracy Halina Karzhaneuskaya and Ina Loika for participating in the pickets for a boycott of the elections. The court ruled to fine the activists 300,000 rubles each.

At about 9 p.m. on 21 August police detained activist of the «European Belarus» movement Aliaksei Tsioply outside the central railway station in Minsk, who had just returned home from Poland. On 22 August the judge of the Kastrychnitski District Court of Minsk Hermanovich found Aliaksei Tsioply guilty of a violation of Art. 17.1 ("disorderly conduct") and Art. 17.9 ("smoking in a public place") of the Administrative Code and sentenced the activist to a fine of 500,000 rubles. The actual reason for the trial of the activist was his distribution of the «Charter 97» newspaper.

At about 11 a.m. on 22 August at the central railway station of Minsk, police detained Mahiliou activist of the «European Belarus» movement Viktar Boldzin, who had just got off the train. He was transporting several editions calling for an election boycott and the officially registered newspaper «Narodnaya Volia». On the same day, Kastrychnitski District Court of Minsk sentenced Viktar Boldzin to a fine of 300,000 rubles on charges of disorderly conduct.

On 22 August the police detained activist of the «Young Front» movement Mikalai Dzemidzenka. Late in the evening, it became known that he was placed in the delinquents' isolation center in Akrestsin Street and charged with disorderly conduct (Art. 17.1 of the CAO). On 23 August, Mikalai Dzemidzenka was taken to Frunzenski District Court, where Judge Dzmitry Lukashevich ruled to arrest the activist for 7 days.

On 23 August Mahiliou police detained local coordinator for the organization of the monitoring process in the framework of the campaign «For Fair Elections» Yury Novikau and Halina Lisitsyna. The detention took place near the train station, after the newspapers, brochures and notebooks have been transferred from one vehicle to another. The policemen counted the products and seized them. After three hours of detention the regional coordinators

of independent observation were released, but told to appear in Leninski District Police Department later.

On 28 August the police detained the BCD Executive Secretary Dzianis Sadouski who was transporting a circulation of a newsletter «Krynitsa» featuring information about the boycott. As it was found out later, he was kept in Frunzenski District Police Department, where he was charged with disorderly conduct. Later, Frunzenski District Court ordered the arrest of Dzianis Sadouski for 10 days (Judge – Maryia Liashkevich).

Restrictions on freedom of speech and the right to impart information, persecution of journalists

On 26 July Tsentralny District Court of Minsk considered the administrative case of journalist of the «European Radio for Belarus» Vital Ruhainy, detained on 25 July and charged with using obscene language in public (Judge Tatziana Tkachova). Vital Ruhainy was released in the courtroom, but the case was not closed and sent back for revision – the police had five days to find evidence of Vital Ruhainy's guilt. All attempts to get to the courtroom were stopped by the police. Journalists counted seven police officers, who were thus involved in the process. In the course of the trial were interviewed three witnesses-policemen who detained Vital Ruhainy. The detention of the journalist took place late in the evening on 25 July in central Minsk. The detention was carried out by a group of policemen and commanded by persons in civilian clothes. After being charged, the journalist was taken to the delinquents' isolation center. On this day, Vital turned 25. Vital Ruhainy's detention is regarded as a kind of revenge by the police for a report from the subway, during which ERB journalists marched through the stations with a large suitcase, without being stopped by the Metro guards. On his return from Lithuania on 24 July, Vital Ruhainy was removed from the train and subjected to a full customs inspection at the border crossing Hudahai. The customs officials took Vital's passport, laptop, but then returned them and he was released.

On 9 August Savetski District Court of Minsk heard the administrative cases of journalists Yulia Darashkevich and Iryna Kozlik. Iryna Kozlik is a journalist of the «Komsomolskaya Pravda in Belarus» newspaper, and Yulia Darashkevich is a freelance photographer. They were arrested in the evening of 8 August outside Minsk's Palace of Arts, when they were being photographed for a virtual «poster» with bear-paratroopers within the campaign of solidarity with the arrested photographer Anton Surapin. The journalists

were accused of illegal picketing (Art. 23.34 of the CAO). The arrest report of Darashkevich and Kozlik mentions «picketing by photographing.» Judge Dzmitry Pavliuchenka found the journalists guilty and ruled to impose on each of them a fine of 3 million rubles.

On 10 August journalist Tatsiana Belashova was summoned to Minsk City Prosecutor's Office in connection with an investigation into the activities of the «Belsat» TV channel. Prosecutor Dzmitry Pastayalka remembered Belashova's arrest in Gorky Park in Minsk on 1 June as she was shooting a video. According to the prosecutor, the video shot by Tatsiana were aired by «Belsat». In this regard, Tatsiana was warned about violating of the law «On Mass Media», in particular for working without accreditation for the benefit of the Polish TV station. The warning was signed by the Deputy Prosecutor of Minsk Kazimir Kezhun.

On 11 August cameraman Viachzslau Piashko and journalist Hanna Azemsha were shooting the editor of the independent newspaper "Prefekt-Info" Dzmitry Lupach who was handing out the weekly in a public place. The journalists were then detained by a police patrol. At the police department, Piashko and Azemsha were identified and released, while Lupach was held longer, as the policemen wanted to know if his newspaper was a registered one, who issued it, and for what purpose. As a result, the editor was also released, but asked to fax papers certifying the legal status of the newspaper.

On 13 August independent journalist Kanstantsin Shytal was summoned to Hlybokaye District Prosecutor's Office to provide clarification on the article «Yaraslau Bernikovich offers help to supporters of boycott» signed by his name and posted on the regional web-site www.westki.info. Prosecutor Anatol Seurukou threatened Kanstantsin Shytal with administrative responsibility if similar publications appeared on the web-site in future. Meanwhile, the journalist said that he had not violated the law: the boycott is not banned in Belarus, and the article on the independent website can hardly be considered as a call for a boycott.

On 14 August journalist Henadz Barbarych was summoned to Prosecutor's Office of Minsk in connection with an investigation of his work for "Radio Racyja", that was initiated after a search of the office of the radio station on 2 May. Prosecutor Dzmitry Pastayalka called the journalist a permanent employee of "Radio Racyja" and said that he had listened to a lot of his reports aired on the radio station and found on the computers seized during

the search. In the end, Prosecutor issued an official warning, urging him to stop working for foreign media without accreditation. The warning was signed by Deputy Prosecutor of Minsk Kazimir Kezhun. Belarusian journalist of Radio «Racyja» are forced to work illegally, since the Ministry of Foreign Affairs has repeatedly denied the radio station official accreditation.

On 19 August Zhana Litvina, chair of the public association «Belarusian Association of Journalists», was excluded from the list of foreign travel restrictions. This was stated in a notification received from the Department of Citizenship and Migration of the Ministry of Interior. The Department officials said Zhana Litvina was added to the travel ban list owing to a computer failure, which allegedly occurred between 24 February and 10 March 2012. Zhanna Litvina believes the reason is trumped up and links it to a specific decision of the official Minsk.

On 20 August journalist Alena Stsiapanava was summoned to the Vitsebsk Region Prosecutor's Office to provide explanations for her work for foreign media without accreditation. As a result of the conversation with Prosecutor Zaitsau, head of the department for supervision over the implementation of laws and legality of legal acts, an official warning was issued, but with the signature of a different man – Deputy Prosecutor of Vitsebsk region, senior justice advisor H.A. Karanko. The journalist was warned for allegedly carrying out the preparation of audio and video reports, as well as for interviewing people, that were later "published on behalf of the foreign media (the Czech office of Radio «Liberty»)". By the way, Czech office of Radio «Liberty» ceased to exist in 2002. Prosecutor Zaitsau said that the appearance of the journalist's name on any Internet web-sites was «undesirable» and that these facts could be interpreted as cooperation with foreign media without accreditation.

On 23 August journalist Mikhail Yanchuk was summoned to the Department of Citizenship and Migration of the Ministry of Interior and shown a certificate-statement, saying that he had «no restrictions for foreign travel». The document was dated 23 August and bore the signature of senior inspector for special affairs Liudmila Maskaliova. As of the end of August, two journalists remained the on the border service's black-list: Andrei Dynko and Aliaksandr Atroshchankau.

On 23 August Orsha town department of the Investigative Committee of Belarus opened a criminal case against journalist Mikalai Petrushenka for «insulting a government official.» The reason for the prosecution was

an article by Mr. Petrushenka entitled «Pedophile receives awards for best children's playgrounds» and published on the web-site www.nash-dom.info on 8 August. The publication was available in the section «Blogs». According to a decree signed by senior investigator S. Shcharbianka, the author of the article argues that the deputy head of Orsha City Executive Committee is suspected of promoting the activities of a pedophile. Thus, Petrushenka caused «public insult» to the official "as a government official in connection with his discharge of official duties." "The collected materials contain sufficient data to indicate the elements of a crime under Art. 369," the investigator claims. In connection with this, he ordered to bring a case against Petrushenka and initiate proceedings on the charges.

Restrictions on freedom of assembly

On 9 July Brest authorities banned two rallies scheduled by the BCD activists: on 10 July – in support of political prisoner Pavel Seviarynets, and on 14 July – under the slogan «Freedom to political prisoners». The reason for the ban, as stated in the response of the executive committee, is that the events were planned to be held next to the building occupied by the Russian and the Polish Consulates in Brest, which is «contrary to the laws of the Republic of Belarus.»

On 24 July, three activists of the organizing committee of the party «Belarusian Christian Democracy» received bans from Minsk City Executive Committee to hold pickets for a boycott of the elections. Member of the BCD National Council Ina Loika, who was one of the applicants of the pickets scheduled on 28 and 30 July at 50 Independence Avenue, was denied due to picket's proximity to the metro station. Activist Ivan Saladukhin also applied for holding a picket on 28 July at 50 Independence Avenue, and on 30 July at 50 Surhanau Street. In the first case, he was denied due to proximity to the subway, in the second – under Article 9 of the Law «On Mass Events» without providing a specific reason. Member of the BCD National Council Ales Shamiakin was not allowed holding pickets in Yakub Kolas Square on 28 and 29 July. On 23 July a negative response was received by the leader of the Young Christian Democrats Maryna Khomich, who petitioned for holding pickets on 28 July at 21 Independence Avenue, and on 31 July at 4 Zhylunovich Street. On 21 July a ban on holding two pickets was received by BCD activist Nadzeya Iyulskaya, who was expected to hold the events on 28 July in Yakub Kolas Square and on 30 July in Zhylunovich Street. All the bans were signed by Deputy Mayor of Minsk Ihar Karpenka.

On 27 July the UN Human Rights Committee recognized a violation of the rights of Baranavichy activists Siarhei Housha, Viktar Syrytsa and Viktar Meziak to freedom of expression and assembly. The complaint concerned a ban on rally entitled «For free, independent and prosperous Belarus» of 10 September 2006. On 4 September 2006 the Baranavichy City Executive Committee dismissed the activists' application for holding the rally on the grounds that the meeting on the same topic had already taken place in the premises of the city executive committee back on 15 March 2006. The ban was appealed to the Court of Baranavichy District and of Baranavichy City and the Judicial Chamber for Civil Cases of the Brest Region Court. However, their complaints were dismissed. Thus, the activists exhausted all available domestic remedies in the attempt to exercise their right of peaceful assembly, guaranteed by article 35 of the Constitution.» «The Human Rights Committee, acting under article 5, paragraph 4, of the Optional Protocol to the International Covenant on Civil and Political Rights, is of the view that the facts before it disclose a violation by Belarus of article 19 and article 21 of the Covenant», says the UN Human Rights Committee in its Views adopted on 27 July 2012. «The Committee observes that the State party has failed to demonstrate, despite having been given an opportunity to do so, why the restrictions imposed on the authors' rights of freedom of expression and assembly, even if based on a law and a municipal decision, were necessary, for one of the legitimate purposes of article 19, paragraph 3, and the second sentence of article 21 of the Covenant. Accordingly, the Committee concludes that the facts as submitted reveal a violation, by the State party, of the authors' rights under article 19 and article 21 of the Covenant,» says the Committee's decision. In addition, the Committee noted that "the State party is under an obligation to provide the authors with an effective remedy, including reimbursement of the legal costs incurred by them and compensation. The State party is also under an obligation to take steps to prevent similar violations in the future. In this connection, the State party should review its legislation, in particular the Law on Mass Events, and its application, to ensure its conformity with the requirements of article 19 and article 21 of the Covenant."

In late July-early August executive authorities across the country banned rallies of solidarity with the imprisoned leader of the Human Rights Center «Viasna» Ales Bialiatski and other Belarusian political prisoners. Denials to hold peaceful mass events were received by human rights defenders and civil activists from Hrodna, Smarhon, Babruisk, Brest, Vitsebsk, Baranavichy, Mazyr, Barysau, Orsha, Zhodzina, Biaroza, and Maladechna. All fur-

ther appeals against the bans heard in the courts did not have a positive outcome.

Hrodna City Executive Committee denied the right of human rights defenders Viktar Sazonau and Uladzimir Khilmanovich to stage a picket on 4 August. The first application for holding the picket received a strange answer from the officials. After that Viktar Sazonau and Uladzimir Khilmanovich sent another application to the city authorities, with a request to clarify the situation, after which the officials sent a written response signed by the deputy head of the executive committee Alena Ahei, which definitely banned holding a picket in Kalozha Park. The formal ground for the denial was failure to sign agreements with the appropriate agencies to ensure public order.

The head of Smarhon District Executive Committee Mechyslau Hoi did not authorize a picket aimed at protesting against Ales Bialiatski's imprisonment, encouraging all members of the civil society in Belarus to show solidarity and support for human rights organizations and human rights activists and other persons, including candidates for President, who were illegally sentenced following the events of 19 December 2010, as well as all people who are subjected to harassment for their beliefs and political views, and demanding the release of all political prisoners in Belarus. The picket was expected to be held on August. The reason for the refusal was the fact that the applicant of the picket Ales Dzerhachou wrote in his application that he assumed the maintenance of public order and security during the picket. The head of Smarhon District Executive Committee considered the desire of the applicant to take these measures as contrary to Decree No. 207 by the Council of Ministers of 5 March 2012, according to which the functions of public order during mass events rest with the police.

Babruisk activist Siarhei Latsinski was not allowed to hold a picket in support of political prisoners. The ban was signed by the deputy head of the executive committee Aliaksandr Markachou. The official paper said that the law «On Mass Events» does not define «a picket», which «does not allow accurately determine which mass action is being planned.» «The application also fails to specify the specific place where you are going to hold a mass event,» wrote the official. Aliaksandr Markachou's answer mentions prevention of responsibility, which is provided «for violating the procedures for organizing or holding of public events.» Siarhei Latsinski deliberately omitted the location for the rally, stating that «the place shall be determined by the executive committee.»

Brest authorities banned a picket expected to be held on 4 August by the human rights defender Uladzimir Vialichkin. The official response signed by the deputy head of the Brest City Executive Committee Viachaslau Khafizau said that on 4 August the park where the human rights activist was going to hold the picket would host events marking the Day of Paratroopers and Special Forces. The second reason for the refusal of the picket was failure to sign agreements with the appropriate agencies, which should maintain public order during the event. However, according to the applicant, he would not need a car of garbage collectors, an ambulance, or a police bus, as the picket was expected to be held by only two participants.

The deputy head of Kastrychnitski District of Vitsebsk Viktar Halanau substantiated his decision to ban an event on 4 August by the fact that the applicants had not entered into service agreements with the departments of the Interior, the city's central clinic and the enterprise «Vitsebsk housing and utilities.» This is the standard official denial, which is based on Decision No. 881 «On mass events in Vitsebsk» adopted by the city authorities in 2009. However, the Interior Ministry departments, medical services and ambulances, as well as public utilities refuse to sign the contracts, requiring permission from the authorities in advance. Therefore, the applicants are trapped in a «vicious circle», and since the adoption of the decision, local authorities have not given permission to a single event applied for by pro-democratic activists.

On 28 July Baranavichy activists Siarhei Housha, Viktar Syrytsa and Viktar Meziak received a letter signed by the deputy head of the executive committee of Baranavichy Dz. Kastiukevich, which reported that the executive committee did not give permission for the rally on 4 August. The city authorities argued that the applicants had violated Art. 6 of the Law «On Mass Events» and Par. 4 of Decision No. 1497 by the executive committee of Baranavichy of 16 June 2009 «On the order of public events in Baranavichy» (as amended by Decision No. 2497 by the executive committee of Baranavichy of October 10, 2009). However, the employee of the ideological department Siarhei Piatsihoroau refused to name, both in writing and orally, what specific rule of law was violated the applicants.

On 26 July Mazyr human rights defender Uladzimir Tseliapun received negative responses from the executive committee and the district council of Mazyr to his applications for a street manifestation in the city center. The event was scheduled for 4 August and was expected to distribute leaflets with information about Ales Bialiatski and to demand to put an end to the

harassment of the human rights defender. The letters signed by deputy head of the Mazyr City Executive Committee Feliks Haliuk and the head of the district council of deputies Siarhei Hvozdz are nearly identical. Uladzimir Tseliapun was not allowed holding the event on the grounds of alleged non-compliance with Article 2 of the Law «On Mass Events in the Republic of Belarus», which states that «a street march is an organized mass movement of citizens on the pavement or on the roadway of a street, a boulevard, an avenue, or a square in order to attract attention to any problems or to publicly express one's social and political sentiments or protest." "However, the application specifies the number of expected participants of the street procession as one person, which does not meet the definition of «a street march» provided in the Law,» reads the letter signed by Siarhei Hvozdz, head of the district council of deputies.

Barysau City Executive Committee banned a picket «Freedom for Ales Bialiatski», which was planned to be held by local human rights defenders on 4 August outside one of the town's major department stores. The application for the picket was submitted to the local executive committee by human rights defenders Maryna Statkevich and Aleh Matskevich. Simultaneously, they lodged statements with the police department of Barysau, the central district hospital and the community services with a request to enter into contracts for the provision of law and order during the picket, medical care and clean-up. All the three services issued the same answers: «Owing to your failure to meet the requirements of Art. 5 of the Law «On Mass Events in the Republic of Belarus» of 30 December 1997 as amended by the Law of 7 August 2003, we do not have any possibilities to sign a contract with you.» The same reason for a ban on the rally was mentioned in the response of the Barysau District Executive Committee.

Orsha City Executive Committee denied the right of seven human rights organizations and political parties to hold a picket in support of Ales Bialiatski. The formal reason for the refusal was the absence of agreements with the police department, local hospital and housing and public utilities. The above mentioned services did not wish to sign such contracts, and the executive committee, in turn, used this as an excuse for the ban.

Zhodzina city authorities banned a rally scheduled for 4 August by local human rights activists in order to demand the release of all political prisoners, as well as prominent human rights defender Ales Bialiatski. On 24 July Aliaksei Lapitski received a letter from Zhodzina City Executive Committee, which denied the applicant's right to picketing. The ban was signed by

deputy head of the ideology department Yury Shary. The official believes that the picket with an expected number of participants of 1-2 persons should not be allowed on the grounds that «public order and security and medical management of picketing during the public event should be maintained by the bodies of internal affairs and those of public health.»

Biaroza human rights defenders Siarhei Rusetski and Tamara Shchapiotkina, as well as a member of the BPF party Anatol Sakharusha, were not allowed by the executive committee holding a picket in the city center on 4 August in support of the head of the Human Rights Center «Viasna» Ales Bialiatski and other political prisoners. The ban signed by deputy head of the executive committee Yauhen Tarasiuk referred to its own decision No. 138 of 9 February 2010 «On the order of public events in Biaroza district.» According to Yauhen Tarasiuk, the application failed to specify the exact location. In addition, the application for a picket did not have attached copies of agreements with the police, community services and medical department. The authorities ignored the fact that the organizers undertook the charges for the maintenance of order and other services.

Maladechna human rights defenders received a ban imposed by the executive committee on holding a picket to protest against the imprisonment of Ales Bialiatski and other political prisoners. The picket was banned, because on the day the expected location of the picket (the central square of the town) would reportedly be occupied by the rental of children's cars and trains. In addition, the head of the executive committee Fiodar Damatsenka in his reply said that Ales Bialiatski had been found guilty and sentenced in a criminal case, and the «expression of public protest in the form of picketing in this case is not provided by law.»

Review-Chronicle of Human Rights Violations in Belarus in September 2012

The situation of human rights in Belarus remained stably bad in September. At the same time, important changes in the situation of political prisoners took place – two political prisoners were released: Vitsebsk activist of the Conservative-Christian Party "Belarusian Popular Front" Siarhei Kavalenka and an activist of the anarchist movement Pavel Syramalotau (on 26 and 27 September respectively). Both political prisoners had written pardon petitions for Lukashenka back in June 2012. However, the decision about their release was taken only three months after. Lukashenka's personal control over the cases of the political prisoners is witnessed by his statements at the time of voting at a polling station on 23 September: "If I am not mistaken, two people applied a month ago," he said, without mentioning the surnames, "Sincerely speaking, I don't know, I am not well posted on it. If the petitions have been received, they are at the commission on pardoning. We will inform you." Lukashenka's press-service specified, that Siarhei Kavalenka and Pavel Syramalotau, released several days after, were meant.

The release of S. Kavalenka and P. Syramalotau has been attributed to many reasons of geopolitical kind. Firstly, it may mark an attempt of the Belarusian authorities to return to the strategy of "geopolitical swing" – balancing between the West and Russia. This urgency was dictated by the tension between Belarus and Russia, starting in August-September due to pretensions of the Russian side to the export of Belarusian petrol, produced from the Russian oil, under the guise of dissolvents. In these circumstances, the need to settle the relations with Europe, which posed the release of political prisoners as the precondition of political dialogue, became more acute. As a result, the Belarusian authorities could make a doubtful concession by releasing two of them. The second reason for the decision to release the political prisoners could be the desire to "smooth away" the negative assessment which was given to the parliamentary election by the BDIHR-OSCE observation mission and their subsequent non-recognition by the European community. One more reason still could lie in the fear of the extension of the visa and economic sanctions against the Belarusian officials and businessmen who financed the regime, at the sitting of the EU Council of Ministers, due to take place on 15 October in Luxembourg. An

important argument was the consistent demand of the European institutions to release political prisoners. In particular, on 10 September the president of the European Parliament Martin Schultz emphasized, that the immediate and unconditional release of political prisoners must become the nearest step of the Belarusian authorities: "Further keeping of Ales Bialiatski, Mikalai Statkevich, Pavel Seviarynets, Siarhei Kavalenka, Dzmitry Dashkevich and other political prisoners in jail is unacceptable. We haven't forgotten!"

A very important symbolic support to the Belarusian political prisoners was given by the Catholic church: at the end of September the representative of the Pope in Minsk, apostolic nuncio Claudio Gugerotti visited A. Bialiatski, M. Statkevich, Dz. Dashkevich, P. Seviarynets, S. Kavalenka, P. Syramalotau and E. Lobau in prisons "as a sign of respect to the universal moral authority of the Pope and the humanitarian efforts of the Holy See within the framework of the mutual relations". The prisoners' relatives expressed a great gratitude to Pope Benedict XVI and the apostolic nuncio for the attention to the prisoners and asked to foster their prompt release.

The release of a part of political prisoners was welcomed by the EU's High Representative for Foreign Affairs and Security Catherine Ashton. She stated that further steps are expected from Belarus and called on the Belarusian authorities to release all political prisoners and remove all restrictions on the exercise of their civil and political rights. On 28 September the US Embassy in Belarus issued a statement on the occasion of the release of political prisoners: "The United States notes the release of Siarhei Kavalenka. We urge the Government of Belarus to immediately and unconditionally free its remaining political prisoners and ensure the full restoration of their civil and political rights. This position of the EU and the US meets the demand of the Belarusian human rights defenders to immediately and unconditionally release the remaining political prisoners of Belarus – Ihar Alinevich, Mikalai Autukhovich, Ales Bialiatski, Dzmitry Dashkevich, Mikalai Dziadok, Aliaksandr Frantskevich, Vasil Parfiankou, Pavel Seviarynets and Mikalai Statkevich, as well as a repeated trial on the cases Artsiom Prakapenka and Yauhen Vaskovich, who are still kept behind bars. The fact that most of them have been declared "persistent violators of the prison regime" is alarming, they are subject to an incessant pressure by prison administrations with the use of threats and mockery. Moreover, torture and large-scale psychological pressurization is used towards Dzmitry Dashkevich.

The practice of arbitrary detentions and administrative punishments was applied on a continuous basis towards activists, public associations

and movements and political parties throughout September. Journalists of independent media faced pressurization and persecution. A considerable restriction of freedom of expression was registered, which especially affected participants of the electoral campaign and advocates of the boycott of the parliamentary election. The activists seeking to express alternative views by holding mass events faced with considerable restrictions and prohibitions. The practice of pressurization of human rights defenders and persecution of human rights organizations persisted as well.

An important event was the appointment of the UN Special Rapporteur on Belarus on 28 September. According to the decision, adopted at the 21st session of the Human Rights Committee, appointed to this position was Miklos Haraszti, who used to head of the OSCE mission for election monitoring in different countries of the world, was the OSCE Representative on Freedom of the Media and has a considerable experience of work concerning human rights and civil society. This appointment was aimed at the implementation of the UN Human Rights Committee's Resolution of 5 July 2012, by which the mandate was introduced, according to which the Special Rapporteur can maintain a regular dialogue with the Belarusian side on the situation of human rights in the country. Despite the fact that the Belarusian authorities immediately stated their non-recognition of the mandate, the civil society expressed readiness to a close dialogue concerning the situation of the human rights and the ways to improve the realization and protection of human rights in the country.

Political prisoners. Politically motivated criminal prosecution

In the night of 3-4 September the imprisoned leader of the “Young Front” Dzmitry Dashkevich was transferred from Hlybokaye colony to Vitsebsk remand prison, where he was placed in a one-man cell in which 24-hour surveillance was established. On 12 September Dashkevich's counsel was not allowed to meet him. The prison administration referred it to having not received a copy of the ruling on enforcement of the penalty, and Dashkevich's having not composed a statement for a meeting with the lawyer. However, as his friends stated, he had written an application for a meeting at the Vitsebsk remand prison back at Hlybokaye colony, that's why they expressed the concern that the prison administration could be trying to hide some information about the prisoner. On 19 September the lawyer was again denied a meeting with his client – the prison administration stated he had been sent away to a colony. The following day it became known that Dz. Dashkevich was transferred to colony #20 in Mazyr where he immediately

faced insults and pressurization from the side and administration. As a result, on 21 September he declared a hunger-strike and was put in a penal cell.

Dz. Dashkevich had been detained on 18 December 2010, the day before the presidential election, charged with malignant hooliganism within the framework of a fabricated case, and sentenced to two years of imprisonment. On 28 August he was sentenced to another year in jail on charges in insubordination to the administration of the correctional facility (Article 411, Part 1 of the Criminal Code of the Republic of Belarus).

On 8 September friends of the former presidential candidate Mikalai Statkevich who is kept in the Mahiliou prison shot fireworks at the prison entrance to mark the Belarusian Military Glory Day. Statkevich's wife Maryna Adamovich said: “He understood in whose honor it was done. And the prisoners did. They probably follow the situation, because they were shouting “Long Live Belarus!” for Statkevich again. On 29 September Mikalai Statkevich phoned to relatives. He confirmed being visited by the apostolic nuncio Claudio Gugerotti. The meeting took place in presence of the deputy head of the Penal Department Siarhei Pratsenka. Mikalai Statkevich said in his talk with the high guest he had confirmed his position, expressed in his last plea at the trial – the Belarusian authorities shall not be proposed any money for the release of political prisoners, as new prisoners would be taken otherwise.

On 10 September, after continued refusals for wire-drawn reasons, Yauhen Vaskovich's counsel was eventually allowed to meet his client at Mahiliou colony #4. As a result it became known that Yauhen had spent 30 days in the penal cell – three times since 2 August till 1 September. He was taken there for the first time for sleeping in the daytime and two more – for insubordination to the prison administration. He looked thin and exhausted after it. Yauhen also said that he was receiving letters only from mother and grandmother during the last six months. On 14 August Yauhen Vaskovich was visited by human rights defender Viktar Sidarenka. The reason for the meeting which was organized by the justice department was the complaints about infringement on the rights of the arrested activist concerning the correspondence with friends and relatives. In September Yauhen Vaskovich reportedly refused from the counsel's services.

As it became known on 17 September, political prisoner Mikalai Dziadok who is kept in Shklou colony #17 was deprived of all meetings, telephone calls and parcels. His father Aliaksandr Dziadok said that Mikalai continued

being kept in a one-man cell and his penal term was extended for 5 days. The prison administration pressurized him, provoking violations and forcing to do the work which is considered as insulting among prisoners. He was still deprived of parcels, meetings and telephone calls. The relatives kept contacts with him only through mail. He had problems with digestion and internal organs. Though he applied for medical assistance, he didn't received any.

On 21 September the deputy head of the Human Rights Center "Viasna" Valiantsin Stefanovich received a letter from the "Viasna" head, vice-president of the International Federation for Human Rights Ales Bialiatski. According to the letter, the political prisoner received the ruling of the Supreme Court on the review appeal against the verdict, issued to him by Pershamaiski District Court of Minsk on 24 November 2011. In the letter from the Babruisk colony Ales Bialiatski wrote that "the appeal at the Supreme Court was considered with an examination of the criminal case… The arguments of the convict about the unlawfulness and groundlessness of the issued court verdicts weren't confirmed during the study of the case… The penalty, appointed for Bialiatski A.V. corresponds to the crime and his personality and is fair… There are no reasons to grant the appeal of the prisoner and issue a protest against the court verdict." The answer is signed by the deputy head of the Supreme Court Valery Kalinkovich. On 25 September Ales Bialiatski celebrated his 50th anniversary in conviction. On 27 September there appeared the information that the administration of Babruisk colony #2 placed A. Bialiatski in a penal cell. However, this was not confirmed after Bialiatski when was visited by his counsel on 1 October. As it was later found from Bialiatski's letter, it was the visit of the apostolic nuncio Claudio Gugerotti which saved him from the penal cell. A. Bialiatski wrote that on 20 September he was issued with the sixth disciplinary punishment. The previous one was issued on 13 September. On 19 September there was issued an act of violation of the internal regulations. On 20 September he was taken to the medical department for an examination, which is usually done before placing a prisoner in the penal cell. However, in the afternoon everything ended with an "extra-schedule duty". "The nuncio's visit was a complete surprise", writes Ales. He passed blessing and support from the Pope and asked: "What shall I pass to the Pope?" I passed thanks for the care about political prisoners". Later Valiantsin Stefanovich received a postcard from Bialiatski. There the human rights defender writes about having 7 reprimands for the seven months in prison, which means that another reprimand was issued yet after 20 September. The head of the HRC "Viasna" still bears the status of a "persistent violator of the prison regime". A former

prisoner of Babruisk colony told another political prisoner, Pavel Seviarynets, that the prison administration exercised a strong pressure on Bialiatski and it was hard even to approach him. Those who come up and talk with him are then caught up and talked with eye-to-eye in the prison brigade. The prison staff clings to him at every trifle. As stated by the prisoner, everyone understands that Ales stands up for the truth, but the people have to evade him, as it would be worse for him and for them otherwise.

As it became known on 21 September, the investigation into the criminal case against journalist of the Polish weekly “Gazeta Wyborcza” Andrei Pachobut was extended till 21 October. The case was instigated by the Hrodna Region Investigation Committee according to the results of a check-up, held by Hrodna Region KGB Department in June 2012 concerning the possible violation of Article 367, part 2 of the Criminal Code (defamation of President). “As it follows from the materials of the check-up, a number of the publications which were prepared by Pachobut and distributed through Internet resources, contain libelous expressions concerning president of the Republic of Belarus”, reads the press-release of the Investigative Committee. Bear in mind that on 21 June a search was conducted in A.Pachobut's apartment in Hrodna. The computers were confiscated. Pachobut was kept in the Hrodna remand prison till 30 June, after which he was released under a written recognizance. Pachobut refused to collaborate with the investigation.

On 24 September political prisoner Ihar Alinevich celebrated his 29th birthday behind bars. He had a short-term meeting with the relatives appointed on 26 September. However, when his mother Valiantsina Alinevich came to Navapolatsk colony #10 where her son is kept, she was told that both the meeting and the passing of a food parcel for Ihar were canceled. The reasons weren't explained. Ihar Alinevich has been deprived of food parcels and meetings with relatives for the last six months.

At about 8 p.m. on 26 September the political prisoner, activist of the Conservative-Christian Party “Belarusian Popular Front” Siarhei Kavalenka was released from Mahiliou colony and put on a train to Vitsebsk by the prison staff. At the end of June Siarhei Kavalenka had written a pardon petition for Aliaksandr Lukashenka. After his release S. Kavalenka explained to a journalist of “Nasha Niva” the reasons for this: “I have a family. They kept saying that if I wrote the petition I would enjoy life. In the penal cell, they were asking me for eight days to take the blame. Then they told me just to write: I ask to be released. At night, I thought it over and decided: if I asked

judges and prosecutors to release me, why couldn't I ask Lukashenka? He is the same official as them. If you need a paper – you can have it. I didn't repent in anything."

On 27 September in the afternoon another political prisoner, Pavel Syramalotau, was released from Mahiliou colony. He was put on a train to Babruisk. In his interview to RFE/RL he said that on 25 September he and Siarhei Kavalenka were summonsed by the head of the brigade and told they would be released this day. The prisoners were taken to the regime department, searched and told that soon the original document would come. However, there was a delay, as a result of which Kavalenka was released on 26 September and Pavel was taken out of the prison at about 1 p.m. The prison guards waited for the train to come, bought a ticket and sent him home. P. Syramalotau stated that the pardon petition was written by his counsel on 25 June on proposal of the prison administration, but the decision to do it was taken by him personally.

Torture and cruel treatment

In the beginning of September the results of a unique campaign held in the Vitsebsk region in July-August by the human rights defender Pavel Levinau were summed up. Levinau visited the regional and 25 district prosecutor's offices in order to familiarize their officers with the Concluding Observations of the UN Committee against Torture. As it was found out during these talks, the overwhelming majority of prosecutors have heard nothing of Belarus' accession to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. The human rights defender sent the report of NGOs and the Concluding Observations of the UN Committee against Torture to the Republic of Belarus to the two district prosecutor's offices where he didn't manage to hold personal meetings. "The prosecutor of Haradok district, with whom there was no meeting, returned me these materials – they didn't arouse his interest". The prosecutor of Vitsebsk district listened to me keeping silent. We had no dialogue – just my monologue instead. The prosecutor of Liozna district said he was trying to evade problems with torture and cruel treatment. That's why he told the police not to allow such things. However, with the exception of an officer of Sennitsa District Prosecutor's Office, who was aware both of the Convention and the Committee against Torture, the majority of the prosecutors were sincerely unaware of what I was talking about", said Pavel Levinau. The human rights defender pointed that neither the regional, nor the district prosecutor's officers have ever applied to court to protect citizens' rights.

Pavel Levinau received 14 written answers after his visits, and in almost in each of them it is stated that "the presented information contains no data concerning violations of rights of citizens". However, the aim of the human rights defender was to remind about the duty of the prosecutor's office to exercise supervision over the respect of human rights.

On 13 September it became known that the UN Human Rights Committee registered a complaint of human rights defender Valiantsin Stefanovich. The complaint concerned a violation of Article 7 of the International Covenant on Civil and Political Rights. In particular, Mr. Stefanovich complained about the improper conditions in the delinquents' isolation center in Akrestsin Street where he was put in 2010, following an action against the death penalty. In May 2010 Maskouski District Court of Minsk refused to consider his appeal against the bad conditions in the penal institution. Minsk City Court upheld this decision, after which the human rights defender applied to the UN Human Rights Committee. According to Article 7 of the ICCPR, "no one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment". The delinquents' isolation center is designed for isolation of the people who committed various misdemeanors or are awaiting trial. The incarceration conditions there don't meet the basic sanitary and hygienic norms.

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On 28 September, after Dzmitry Dashkevich met with his counsel, the reasons for his hunger-strike of protest became known. The protest was an answer to actions of the prison administration and its head Yury Bahdanavich Zbarouski in particular. Fellow members of the "Young Front" said that during the first meeting the head of the colony asked Dz. Dashkevich about his confession. Having heard that he was a Protestant, he started insulting his religious beliefs with such statements as "All those your sects are planted by the West to destroy the Slavonic race!", "You destroy the Slavonic race!". When Dashkevich refused to clean the quarantine (the brigade, where the newcomers are kept for the first weeks), a commission of 7 people was summoned and Yury Zbarouski started shouting at him: "Will you swing the rights, Baptist, twice hypnotized against alcoholism, faggot? You are a pile of shit, not the prime-minister of France. Look, what a stupid mug he has! He must be a moron!" Dashkevich refused to talk to such a commission. This day he was deprived of all long-term meetings and issued with a reprimand. Later an official came to the barrack where Dashkevich had been just taken and where about 40 people were living, and found a blade lying on the table. He immediately addressed Dashkevich: "Have you decided to cut your wrists?" Dashkevich was taken to the head of the regime department. "Write, where

you have taken it from!", he ordered. "It's not mine", Dashkevich answers. "It was found among your things! What do you think of yourself? You are a drunkard, below the plinth, a pile of shit, you'll leave your health in the black hole, you understand? I promise you will!" Instead of writing an explanation Zmitser wrote a statement that he started a hunger-strike. The head of the regime department crumpled it and threw away, saying: "I will take you to gangsters, and you'll be banged, clear? Write the explanatory note, I said!". "I won't write anything for you", answers Zmitser. "What? What have you said? I will write a report about improper behavior!.» "One could think we're almost friends by the way you address me," was the answer. Getting back to the quarantine, Dashkevich told to the head of the quarantine department: "It is a triple moronism after Horki". That time a major was present in the room, who, having eavesdropped on the conversation, described this expression in his report as "foul language, insult of the administration". As a result, a new commission awaited Zmitser Dashkevich in the morning. He was deprived of all short-term meetings. Dashkevich looked at it all and just kept silent... However, the head of the regime department would not leave him alone: "You must be keeping silent to provoke us?! Shall we put you on the psychologist's record?" "Yes, we should also register him as a suicidal, he was hiding a blade!", assented the prison psychologist. After this and other incidents Dz. Dashkevich refused to obey any orders and was directed to another commission, where he was given another term in the penal cell. As a result Dashkevich went on a hunger-strike, which he intended to keep until the change of the attitude towards him.

On 28 September the educational institution "Platform" submitted urgent information to the UN Special Rapporteur on Torture Juan Mendez in connection with the cruel treatment of Dzmitry Dashkevich. In the information it is stated that after the transfer of the political prisoner to the Mazyr colony #20 he was subjected to cruel treatment by the prison administration. During the several days of his stay in the colony he was deprived of short- and long-term meetings and food parcels. Each day he was summoned to a commission which consisted of representatives of the administration and at which he was subject to rude insults (moron, drunkard, faggot, a pile of shit); threats to recognize him as psychically ill and appoint a forced medical treatment; put him in the penal cell, where he would be subject to sexual violence by inmates; threats of physical liquidation in the Mazyr penal colony #20.

Death penalty

On 26 September at the OSCE Human Rights Dimension Implementation Meeting in Warsaw the OSCE Bureau for Democratic Institutes and Human Rights (BDIHR) presented a background paper – The Death Penalty in the OSCE Area 2012. The report states that the number of the member countries of the OSCE which abolished the death penalty reached 51 out of 56. Three more countries, Kazakhstan, the Russian Federation and Tajikistan, have the death penalty in their legislation, but there are moratoriums on the de-facto executions. Belarus and the US remain the only countries in the OSCE region where death verdicts are still executed.

On 28 September mother of the executed death convict Uladzislau Kavaliou filed a review appeal to the Supreme Court. Liubou Kavaliova demanded the reversal of the death sentence, according to which Uladzislau Kavaliou and Dzmitry Kanavalau were executed for having allegedly committed a terrorist act in the Minsk metro on 11 April 2012.

"The appeal lists the violations admitted during the investigation and the court proceedings, and I consider holding a new, fair trial of the case, as necessary. I understand that after the execution the only thing I can do is to protect the good name of my son. However, I also remember that it is important to find the real organizers of the explosion," she says.

The volume of the complaint is more than 50 pages. It contains enumeration of violations of the Criminal-Process Code, the motions which were not granted by the court, violations of the right to defense (when the counsel wasn't admitted to the investigative isolator), violation of the right to appeal (when Kavaliou wasn't allowed to meet with his counsel on the eve of the execution), etc. Many photo and video materials and freeze-frames from recordings of the surveillance cameras in the metro are attached to the appeal.

Harassment of human rights activists and organizations

On 3 September the preliminary hearings concerning the liquidation of the informational and educational institution "Platform" took place at the Minsk City Economic Court. The case was brought on the lawsuit of the Savetski District Tax Inspection of Minsk. The trial was led by Judge Aleh Kliuiko. In July and August 2012 the head of the organization Andrei Bandarenka had been twice taken to the tax inspection by the police de-

spite the fact that the meetings of “Platform” with the tax inspectors were agreed in advance. In August the organization had to pay a fine for the alleged failure to inform the tax agency about a change of its address. The human rights defenders stated that it was unclear how it was determined that the organization “was not located on its legal address” whereas it was there! In July “Platform” received administrative punishment for the allegedly untimely reporting about the income tax. In fact, the organization had presented all reports back in March, and the tax inspector allegedly found a defect in one of them only in July. In both cases “Platform” was obliged to pay fines, the total sum of which was 4 million rubles. A representative of the tax inspection stated at the trial that “Platform” “repeatedly and grossly” violated the legislation: untimely filed tax declarations, was not situated on its legal address – and was punished with fines for it. The head of the “Platform” Andrei Bandarenka, in his turn, stated that the tax declarations had been filed timely, but the tax inspection kept “losing” them. Moreover, he stated that the institution had been already punished for it with a fine, and two punishments cannot be issued for one violation. What concerns the pretensions to the legal address, “Platform” was located on its legal address. The head asked the court to summon the witnesses who could confirm it. During the hearing of 6 September Judge Aleh Kliuiko asked the tax inspection to present the office rent agreements of “Platform” for 2011-2012 and postponed the trial till 9 October.

On 21 September the tax organs joined to the harassment of a member of the Board of the Human Rights Center “Viasna”, president of the Belarusian Human Rights House in Vilnius Tatsiana Reviaka. Pershamaiski District Tax Inspection of Minsk demanded that the human rights defender provided the income and assets declaration for 2004-2010. The demand was signed by the deputy head of Pershamaiski District Tax Inspection of Minsk Vasil Malashenka. These measures of the tax inspection were preceded by a sudden increase of interest to the human rights defender on the part of the KGB: 17 August Tatsiana Reviaka was summonsed for a talk to to KGB. At the same time, security services summonsed for talks participants of the summer human rights schools which are held at the Belarusian Human Rights House in Vilnius, asking who provided the organizational and financial sides of their stay at schools. Such cases took place not only in Minsk, but also in the provinces. Earlier, T. Reviaka had been questioned by the Financial Investigations Department as a witness in the criminal case against the head of the HRC “Viasna” Ales Bialiatski and confirmed having received financial means from Ales Bialiatski for human rights activities. The Observatory for the Protection of Human

Rights Defenders this new act of harassment against Ms. Reviaka, which is considered by it as a part of a more general campaign of harassment against members of "Viasna", aimed at impeding their legitimate human rights activities.

On 27 September Savetski District Tax Inspection of Homel demanded that the human rights defender Leanid Sudalenka, his wife and the son who was serving in the army, to present income and assets declarations for the last five years. Mr. Sudalenka considered it as politically motivated harassment. During the parliamentary election, he actively helped the candidates who weren't registered. He prepared more than 20 complaints to the Central Election Commission and the Supreme Court on their behalf. He also prepared many appeals, including to court, on the stage of agitation, when the printing houses refused to publish the electoral programs of the UCP candidates and state owned TV refused to broadcast their speeches. It's worth noting, that Leanid Sudalenka and his family members were also required to submit five-year income declarations after the parliamentary election 2008.

On 30 September Belarusian customs officers searched civil activists Siarzhuk Semianiuk and Iryna Smiayan-Semianiuk at the border crossing point "Novaya Huta". The family was returning from the Ukraine after a visit with relatives. According to Iryna, at first they were detained for half an hour – most probably, the customs officers didn't know what to do with them. Then customs officer Piatro Khamutovich said "You see, we don't know where you travel" and added that their car would be examined. However, the customs officers searched not only the car, but also all personal belongings of Iryna and Siarzhuk and drew up an act of examination. Nothing illegal was found, though.

In the night of 30 September – 1 October member of the Human Rights Center "Viasna" Zmitser Salauyou was searched at the border crossing point "Piashchatka" while returning home from Poland. His car and personal belongings were examined by border guards, customs officers and two men in plain clothes. According to Mr. Salauyou, he arrived at the border at about 12 p.m. His car was put in a special box. All its parts were thoroughly searched, including the hood and the bottom. The customs officers paid a special interest to a poster with a portrait of Ales Bialiatski, CDs of the campaign against the death penalty and a manual for election observers. No acts of examination and confiscation were drawn up. The reasons for such long detention weren't explained.

Pressurization of social and political activists by security services

On 3 September Babruisk activist Halina Smirnova was summonsed to local KGB department. The talk with a KGB officer Pavel Silkou lasted for 2.5 hours and concerned the silent protests, the People's Assembly in 2011 and hanging-out white-red-white flags in Babruisk. The KGB officer also reminded about lighting candles on Hallowmas. H. Smirnova refused to answer any questions concerning her personal life and family. P. Silkou presented to her a warning about the possibility of criminal prosecution for violation of Article 342 of the Criminal Code, “Organization and preparation of actions which grossly violate the public order, or active participation in them”.

Administrative prosecution of social and political activists, arbitrary detentions

On 2 September civil activists of Smarhon marked an anniversary of the birth of the head of the national underground resistance movement in Smarhon and Vialeika Rastsislau Lapitski, whom the Soviet authorities had executed by shooting in 1950. Within the framework of the festive events a local artist Valiantsin Varanishcha, civil activist Uladzimir Shulzhytski and members of the artistic association “Pahonia” Henadz Drazdou, Ales Tsyrkunou and Ales Pushkin paid a visit to an Orthodox church and hallowed four portraits of Lapitski painted by Pushkin. Then the paintings were exhibited in the city park, after which the artists carried them to Valinatsin Varanishcha's house. On their way there they were detained by the police, who charged them with participating in an unauthorized mass event (Article 23.34 of the Code of Administrative Offenses). On 3 September Smarhon District Court fined Ales Tsyrkunou was fined 1 million rubles. The other detainees solicited for advocatory services, as a result of which the trials over them were postponed. On 10 September Judge Liudmila Piatrova fined Henadz Drazdou 3 million rubles, artist Valiantsin Varanishcha – 1 million rubles and activist Uladzimir Shulzhytski – 3 million rubles. On 24 September Ales Pushkin, who was found the organizer of the procession, was sentenced to ten days of arrest. He was also found guilty of non-subordination to the police. The verdict was issued by Judge Liudmila Piatrova.

At about 2.20 p.m. on 4 September a candidate for the parliament from the Belarusian Social Democratic Party (Hramada) and activist of «Tell the Truth» campaign Leanid Padbiaretski was detained for “holding an unauthorized agitation picket” Mr. Padbiaretski was guarded to Leninski District Police

Department of Mahiliou and kept there for about an hour. Then he was given a writ for 6 p.m. and was let go. As a result of the proceedings which took place at 6 p.m. the case was dropped as the police had no powers to draw violation reports against candidates for the parliament. The case materials were passed to the administrative commission of Leninski district for bringing an administrative case under Article 9.10 of the Code of Administrative Offenses, "Violation of the electoral legislation".

On 5 September Brest activist Andrei Sharenda was warned by the prosecutor's office. As it was found out, the supervisory agency allegedly took into account some circumstances which allegedly witnessed violation of the requirements of the Law "On Mass Media" on his part during the participation in the post-election protest rally in Minsk on 19 December 2010. The warning "about inadmissibility of the repeated offense" states that on the day of the presidential election Sharenda "took an active part in the mass event which was accompanied with a gross violation of the public order, disobedience to legitimate demands of the authorities, which led to interruption of the work of public transport.»

At about 1.30 p.m. police officers came to the apartment of an activist of the youth wing of "Tell the Truth" – "Zmena", Yahor Viniatski. Printed production was confiscated from him as a result of the search. Ya. Viniatski, who was also an electioneering agent of the candidate Artsiom Liava, in whose constituency the "Boycott-101" campaign had been declared, was taken to Pershamaiski District Police Department of Minsk for questioning.

After 6 p.m. on 5 September riot police detained an activist of the "European Belarus" Aliaksei Tsioply near the metro station "Kupalauskaya". Several copies of the informational bulletin "Charter-97" were found among his belongings. A. Tsioply was put on a bus and driven to Tsentralny District Police Department of Minsk. There he was charged with insubordination to legitimate demands of police officers (Article 23.34 of the Code of Administrative offenses). On 6 September the judge of Tsentralny District Court Yasinovich sentenced him to 5 days of arrest.

In the morning of 7 September the "Zmena" leader Pavel Vinahradau was detained in his apartment in Minsk. He was guarded to Maskouski DPD and charged with disorderly conduct". The same the court returned his case to the police for revision. Nevertheless, Pavel was not released – he was taken to the delinquents' isolation center in Akrestsin Street instead. On 10 September Judge Yury Sezin sentenced him to five days of arrest.

At about 4.30 p.m. “Zmena” activist Aliaksandr Artsybashau was detained as well. At Kastrychnitski DPD he was charged with disorderly conduct and then placed to the delinquents' isolation center as well. On 10 September Artsybashau's relatives, who were waiting for him at court, were informed over the telephone that the trial over him had already taken place and Judge Maksim Lapko had returned his case for revising. In fact, as it was found later, Aliaksandr Artsybashau had been sentenced to 3 days of arrest and released from custody right in the court hall, having already served the whole term during the weekend.

On 7 September the administrative commission of Slutsk City Executive Committee found local activist Vasil Amialkovich guilty of posting stickers in the city and fined 1 million rubles. The case was considered by five members of the commission including the committee's main lawyer Yury Skryhan and the deputy head of the prophylaxis and public order department of Slutsk DPD Andrei Zayats. V. Amialkovich had been detained by the police near his house at midnight on 14 July. A policeman who didn't introduce himself told he had seen him posting stickers near a shop. At the police station, police inspector Verabei composed the protocol of questioning with gross violations. The surname of the police who accused him of posting the stickers was not called even during the sitting of the commission. When Amialkovich asked who accused him, Andrei Zayats answered: “Slutsk DPD does”.

The sisters Alena and Liudmila Paulouskis were detained in the afternoon of 8 September after writing “Long Live Belarus!” on the advertisement board of Kamsamolskaya and Revaliutsyinaya Streets of Minsk. At first they were taken to Tsentralny District Police Department of Minsk, then to the delinquents' isolation center in Akrestsin Street. The girls were charged with insubordination to police officers. On 9 September the judge ofTsentralny District Court of Minsk Natalllia Vaitsiakhovich sentenced both of them to pay fines of 2 million rubles.

On 11 September in Khotsimsk a candidate for the parliament at Krychau election constituency #83 Valery Karanakevich was detained while holding an agitation picket. The picket was held in the place that had been determined by the district executive committee – the town stadium. At about 12.30 a.m. policemen arrived and forced the picketers to stop the action. Valery Karankevich was guarded to Khotsimsk DPD for giving explanations and was released after writing an explanatory note.

On 11 September the judge of the Leninski District Court of Mahiliou Aksana Ratnikava issued a verdict to the coordinator of the «For Fair Elections 2012» campaign in the Mahiliou region, Yury Novikau. The judge found him guilty of distributing mass media in the form of notebooks, manuals and an informational bulletin for observers. She ruled to destroy all this production. Novikau's car was stopped by the road police near the railway station at about 8 p.m. on 23 August. He was told to drive to Leninski DPD, where his car was searched by police. Printed production, which was found in the trunk, was confiscated, and an administrative case was brought against Yury Novikau.

On 12 September the administrative commission of Pershamaiski district of Minsk considered an administrative case against the activist of the "European Belarus" Andrei Mouchan. He had been detained on Astrashytskaya Street in the "Uruchcha" suburb on 14 July. Having searched him, the police found some stickers. At Pershamaiski DPD the activist was charged under Article 21.14, "violation of the urban maintenance rules", and Article 17.1, "disorderly conduct". On 12 September the administrative commission of Pershamaiski district considered a case that had been brought against him for violating Article 21.14 of the Code of Administrative offenses and sentenced him to a fine of 500,000 rubles. The commission was headed by A. Vankevich.

In the evening of 13 September an activist of the Belarusian Christian Democracy Zmitser Shurkhai was detained by police while receiving a parcel from Minsk. He was guarded to Leninski DPD together with the agitation materials calling to the boycott of the parliamentary election. The activist was released at 10 p.m., 5.000 leaflets were confiscated for examination.

On 15 September the chief editor of the "Arche" magazine Valery Bulhakau was detained during the presentation of the book "Sovetization of the Western Belarus" in Hrodna. He was released after receiving charges of unlawful business activity. As it was found later, the presentation was attended by officers of the tax inspections who made a so-called "control purchase" (about 20 books by Yan Shumski were sold at the presentation).

On 18 September four activists of "Zmena" were detained together with Belarusian and German journalists near "Pushkinskaya" metro station. The activists intended to hold a symbolic dispensation of borsch not far from the "Frunzenski" supermarket. However, they didn't manage even to set up – the police immediately detained all participants: Pavel Vinahradau,

Yahor Viniatski, Aliaksandr Artsybashau and Hanna Kurlovich. Among the detainees there were also the journalists Aliaksandr Barazenka, Siarhei Hryts, Vasil Fiadosenka, Pavel Padabed and Tatsiana Ziankevich, as well as the cameraman and the journalists of a German shooting crew. The journalists were released the same day without being given any charges, whereas the "Zmena" activists were charged under Article 23.34 of the Code of Administrative offenses, "participation in an unauthorized mass event", and guarded to Frunzenski District Court of Minsk. Judge Lapo punished Hanna Kurlovich with a fine of 2 million rubles and Yahor Viniatski – with 7 days of arrest. Judge Dzmitry Lukashevich sentenced Aliaksandr Artsybashau to 10 days of arrest. Pavel Vinahradau was tried for violation of two articles – Article 23.34 and Article 17.1 - "disorderly conduct" (for allegedly shouting four-letter words in a loudspeaker). Judge Natallia Karovina sentenced him to 5 and 7 days of arrest for these violations – a total of 12 days in jail.

On 19 September Judge of the Kastrychnitski District Court of Vitsebsk Ina Hrabouskaya sentenced an activist of the Belarusian Christian Democracy Yauhen Hutsalau to 7 days of arrest. On 18 September the youngster had held a one-man action in support of the election boycott: he put on a mask of Lukashenka's face and went to the center of the city holding a poster "Boycott to the parliamentary election 2012". He was detained somewhat later at a polling station where he was present as an election observer. At first he was taken to an interrogation, and then to the remand prison where he was kept before the trial.

On 19 September in Maladechna the police detained youth activist Ihar Liushtanh who decided to mark the day of the national symbols by a walk under a white-red-white flag. He was detained near a picket of the candidate Halina Lazouskaya and taken to the police station. Ihar's father was allowed to take his son away after a detention report was drawn up. The administration of the gymnasium where the boy studied was immediately informed about his deed.

At about 3 p.m. on 20 September "Young Front" activist Zmitser Kremianetski was detained and taken to Tsentralny DPD. On 21 September Tsentralny District Court of Minsk sentenced him to 5 days of arrest under two articles of the Code of Administrative Violations: Article 23.4, "insubordination to police" and Article 17.3, "consumption of alcohol in public".

At about 3 p.m. on 21 September the police detained an activist of "Tell the Truth" Aliaksei Mikulich for distribution of leaflets calling to the boycott

of the election on the territory of Frunzenskaya election constituency #101 which was chosen for the organization of boycott by activists of the "For Freedom" movement, the Belarusian Popular Front, "Tell the Truth" civil campaign and its youth wing, "Zmena". The police guarded A. Mikulich to Frunzenski DPD, from which he was released without getting any charges.

In the evening of 21 September Palina Sharenda-Panasiuk, Andrei Sharenda and Viachaslau Barouski were detained in the Brest suburb "Kavaliova". They were guarded to Maskouski DPD of Brest, where leaflets with calls to boycott the election and several dozens of "Charter-97" bulletin were confiscated from them. The boys were released without getting any charges, whereas Palina was charged with the illegal distribution of printed edition and insubordination to police. The trial was to have taken place on 24 September but was postponed due to the alleged loss of the case. On 28 September Judge Maryia Levanchuk returned the administrative case against Palina Sharenda-Panasiuk to the police for revising. According to her, there was no evidence to prove the charges. Moreover, the police witnesses failed to appear at court.

In the evening of 22 September Andrei and Aliaksei Dvaretskis were detained while posting boycott leaflets and guarded to Partyzanski DPD. There they were charged under Article 23.4, "insubordination to police" and Article 21.14, "violation of the urban maintenance rules". They were kept in the delinquents' isolation center in Akrestsin Street till the trial. On 24 September the judge of the Partyzanski District Court of Minsk Maryiana Valchkova sentenced them to three days of arrest. The reports concerning the violation of the urban maintenance rules were passed for consideration by Partyzanski district administrative commission.

On 23 September in Minsk the police detained the head of the "Razam" movement Aliaksandr Makayeu who was driving to the funeral of Mahiliou activist Krystsina Shatsikava by his car, to which a white-red-flag was attached. The car was stopped and searched. Some boycott leaflets were found as a result. A. Makayeu spent the night at the delinquents' isolation center in Akrestsin Street. On 24 September the judge of the Tsentralny District Court of Minsk Aliaksandr Yakunchykhin found him guilty of insubordination to police (Article 23.4 of the Code of Administrative Offenses) and sentenced him to 6 days of arrest.

On 24 September several dozens of activists of the youth project "Election observation: theory and practice" who had observed the election on the

election day, 23 September, were detained by the riot police near the Jazz Hostel in Minsk. Among the detainees there were Ales Herasimenka, Nasta Matchanka, Maryia Sliaptsova and Ales Zayats. All of them were taken to sentralny DPD and released after being photographed and fingerprinted. The reasons for the detention weren't explained, no charges were given.

Restrictions on freedom of speech and the right to impart information, persecution of journalists

On 6 September the administrative commission of Savetski district of Homel held a sitting to consider a police report about violation of the rules of trade, drawn up on Aliaksandr Protska on 20 August. The activist of the “For Freedom” movement concluded an official agreement with the editorial board of the “Novy Chas” newspaper. He sold the newspaper near the railway station of Homel. The commission punished him with a fine of 100,000 rubles for alleged violation of Article 12.17 of the Code of Administrative Offenses.

On 17 September Mikita Brouka, a journalist for the “Novy Chas”, got his journalist ID torn. He was shooting a street poll on video for “Novy Chas” near the Presidential Administration and then sat down on a bench, holding the camera and the microphone on his knees. At that time he was approached by a man in mufti who introduced himself as a guard of the Presidential Administration. He behaved aggressively – refused to show his ID, asked what was being shot there and demanded the journalist to show his ID. Having seen the title “Novy Chas” he stated that such edition did not exist, tore up the ID and went away.

On 18 September “Zmena” activists held a symbolic dispensation of borsch. Apart from them, the police also detained the journalists who elucidated the action, including independent cameraman Aliaksandr Barazenka, photo correspondents Siarhei Hryts (“Associated Press”), Vasil Fiadosenka (“Reuters”), Tatsiana Ziankovich (EPA), the BelaPAN correspondent Pavel Padabed and the shooting crew of the German TV channel “ZDF” - cameraman Dzmitry Rudakou and producer Aliaksei Akulau. During the detention unidentified persons in mufti smashed Siarhei Hryts' glasses and then started forcedly pushing all present people into a minibus. All detainees were guarded to Frunzenski DPD. The journalists were released without getting any charges. On 19 September Siarhei Hryts paid a visit to Frunzenski DPD to file a complaint about beating.

At about 4.30 p.m. on 18 September independent TV journalists Viachaslau Piashko and Valiantsin Mikhaltsou were detained near Kalinin Square in Minsk while shooting a video. At first the journalists were guarded to the police station on Kuzma Chorny Street for identification. At about 7.15 p.m. they were driven to Pershamaiski DPD, allegedly to put a seal on the report about the confiscation of the camera. At the DPD Valiantsin Mikhaltsou was fingerprinted and photographed. The detainees were released at about 8.15 p.m. As it follows from the copy of the protocol which was issued to them, the camera was taken away for a ten-day examination. The video recording was left at the police as well.

On 20 September it became known that a number of photo reporters for foreign editions and agencies hadn't been issued with accreditation for the "Dazhynki" agricultural feast which was held on 21-22 September. In particular, the accreditation denials concerned photo correspondent for "Nasha Niva" Siarhei Hudzilin, Siarhei Hryts ("Associated Press"), Tatsiana Ziankovich (EPA) and Viktar Drachou (AFP). "It was the demand of the presidential security service", explained to the journalists the press secretary of the police department of Minsk City Executive Committee Aliaksandr Danilchanka. Only the shooting crews and photo correspondents who had an official registration were allowed to work at the feast.

On 21 September the chief editor of «Nasha Niva» Andrei Dynko received a letter from the Ministry of Internal Affairs, which expressed apologies for having mistakenly put him on the list of restricted to travel abroad. The letter is dated 9 September. Andrei Dynko was set off the train «Minsk - Vilnius» on 14 March. The border guards didn't explain the reason for reason for limiting his freedom of movement, just advised him to apply to the citizenship and migration department of the Ministry of Internal Affairs. The citizenship and migration department, in its turn, issued him with a certificate that he had been put on the list of restricted to travel abroad for "evasion from measures connected with the call-up to the army". The journalist filed complaints to various instances. His surname was removed from the list only after the sixth complaint.

On 21 September Amos Roberts, a reporter of the Australian TV channel SBS, was detained at "Minsk-2" international airport despite the fact he had official accreditation from the Belarusian MFA. The customs officials seized his camera and all data storage items.

On 22 September we learned that two representatives of the Swedish TV channel “TV4”, the journalist Stefan Borg and a cameraman, were denied Belarusian visas. Before this, denials were also received by the German journalists Gesine Dornblьth (“Deutschlandradio”) and Anne Gelinek (ZDF). According to the Belarusian Association of Journalists, as many as six foreign journalists were denied visas.

On 22 September the head of precinct election commission #33 at Krychauskaya election commission Volha Yurenkova prohibited the editor of a small-circulation private edition Siarhei Niarouny to take photos at the polling station. The head of the commission had no pretensions to the journalist during the first day of early voting, but changed her mind on the election day.

On 23 September a photo correspondent for “Komsomolskaya Pravda v Belarusi” Dzmitry Lasko was detained for three hours by an officer of the criminal investigation department for refusing to erase the photos he had taken at a polling station. The journalist was released as soon as the question of his detention was raised at the press-conference of the Central Election Commission.

On 23 September, the main day of voting, the head of precinct election commission #752 located in the Minsk school #148 expelled “Novy Chas” journalist Mikita Brouka. He shot the polling station on video after its closure and planned to make a video recording of the poll. Despite the fact that he had been put in the register of journalists and managed to make video shooting at the polling station, Volha Smirnova didn't want to let him there at the end of the day. Nevertheless, Mikita managed to get to the polling station. However, soon Volha Smirnova explained that she allowed him to be present at the polling station without the video camera. Later she noticed him shooting a video and told the police to remove him from the polling station.

On 23 September Siarhei Balai, a photo journalist for “Salidarnats”, was detained while taking photos on Kastrychnitskaya Square. He was approached by people in mufti who asked why he was taking the photos and then called a police car. The presentation of a journalist ID had no effect – the journalist was guarded to Tsentralny DPD, allegedly for identification, and kept there for 2.5 hours. No explanations were taken, no charges given, but all photos were erased from the photo camera.

On 23 September, the day of the election, access from the territory of Belarus was restricted for a number of websites, including udf.by (the official partner of the “For Fair Elections” campaign) and the website of the organizing committee of the Belarusian Christian Democracy In the morning of 24 September these sites still didn't work. The UDF became accessible at about 11 a.m. As it was found out, the website was blocked on the territory of Belarus and could be opened abroad and through anonymizers. bchd.info was still unaccessible. On 23 September the access to the website of the “People's monitoring”, electby.org, was interrupted as well. It was still inaccessible in the morning of 24 September. However, one could access it through anonymizers, which witnesses an artificial blocking of the resource. The website of the Movement “For Freedom” and its subdomain, watch.pyx.by, created for uploading information from election observers, were inaccessible as well.

On 28 September the editor of the private newspapers “Borisovskiye Novosti” and “Reklamnyj BorZHoMi” Anatol Bukas stated the continuation of pressure on his editions. About 60 copies of the newspaper “Reklamny BorZHoMi” were removed from the stand of a shop on demand of workers of the health service. According to Mr. Bukas, workers of the health service implemented an oral order of Barysau City Executive Committee which was trying to liquidate the edition by economic means. It became also known that the prosecutor's office didn't grant the appeal of A. Bukas against the removal of a plate with the newspaper's name, “Borisovskiye Novosti” by workers of the housing service in August 2012.

Restrictions on freedom of assembly

On 29 August the hearings on an appeal of human rights defenders Aliaksei and Sviatlana Lapitskis against the prohibition of a picket in support of Belarusian political prisoners and including human rights defender Ales Bialiatski ended at Zhodzina City Court. The Lapitskis wanted to hold the action on 4 August. The trial was led by Judge Hrynkevich who dismissed the appeal.

On 1 September Brest Region Court didn't grant the appeal of the head of the regional branch of the United Civil Party against the prohibition of a picket under the slogan “For fair elections without Lukashenka” by the local authorities. Brest City Executive Committee stated as the official reason for the ban that a football match would take place at the place of the action (the “Locomotive” stadium, the only place that had been officially determined

by the authorities for street actions). However, Mr. Vuyek is sure that the prohibition was groundless and the sports event and the picket would not have hindered each other.

On 1 September Brest Region Court upheld the prohibition of a picket of solidarity with political prisoners, appointed on 4 August, the first anniversary of the arrest of the head of the Human Rights Center "Viasna" Ales Bialiatski. Brest City Executive Committee had banned the action referring to the failure of the applicants to conclude service agreements with the police, medics and public utilities. Dissatisfied with such decision of the authorities, human rights defender Uladzimir Vialichkin and the head of the regional branches of the United Civil Party and the Belarusian Social Democratic Party (Hramada) Uladzimir Vuyek and Ihar Maslouski applied to court, which turned their lawsuit down.

On 1 September Homel human rights defenders Anatol Paplauny and Leanid Sudalenka received an information from the UN Human Rights Committee that their complaints about the prohibition of the pickets in support of pickets dated to an anniversary of the arrest of Ales Bialiatski, had been accepted for consideration by the Committee. According to the correspondence, the complaints of human rights were registered and sent to the Government of Belarus to express the official position of the Belarusian side concerning the violations referred to in the complaint. Bear in mind that on 4 August 2011, the day of the arrest of Ales Bialiatski, human rights activists applied to Homel City Executive Committee for permission to hold a series of pickets with the aim to draw the public attention to the politically motivated arrest of their colleague. The city authorities didn't authorize the pickets. The courts of all levels (the city, regional and Supreme) upheld the prohibition. In their complaint to the committee the applicants point out that the Homel authorities had determined only one place for holding pickets and meetings in the city with a population of almost 500,000 people. Moreover, according to ruling of the authorities those who hold mass events must pay to the police, medics and public utilities.

On 13 September the Civil initiative against lawlessness at courts and prosecutor's offices intended to hold a picket near Minsk Town Hall on Svaboda Square under the following slogans: "Bureaucracy, stop fooling the people and mocking at it!», «Let's bring the deceivers of the people to account!», «The Presidential Administration is an effective protector of lawlessness in the country» and «We demand that the officials respect the Constitution and the country's laws!». However, the organizers received a

refusal, signed by the deputy head of Minsk City Executive Committee Ihar Karpenka. “He thinks that our application “doesn't meet the requirements of Article 9 of the Law “On Mass Events” and the action would create obstacles to the movement of pedestrians near the Town Hall,” said the leader of the Civil initiative Tamara Siarhei. However, the official didn't specify which requirements of Article 9 of the Law “On Mass Media” were allegedly violated in the application.

Review-Chronicle of Human Rights Violations in Belarus in October 2012

The situation of human rights in Belarus remained stably bad in October. 12 political prisoners continued being kept behind bars: Ihar Alinevich, Mikalai Autukhovich, Ales Bialiatski, Dzmitry Dashkevich, Mikalai Dziadok, Aliaksandr Frantskevich, Eduard Lobau, Vasil Parfiankou, Artsiom Prakapenka, Pavel Seviarynets, Mikalai Statkevich and Yauhen Vaskovich. The decision to toughen the prison regime was taken towards Dzmitry Dashkevich, as a result of which he was transferred from colony to a cell-type prison for the rest of the term. The overwhelming majority of the political prisoners remained in the status of “repeated violators of the prison regime” and was subject to a ceaseless pressurization by the prison authorities.

On 16 October, during a press-conference for regional journalists from Russia, A. Lukashenka for the first time admitted that Belarus had political prisoners: “We have two or three political prisoners, who have tried to break in the House of the Government”. Thus, he took an intermediate position concerning this issue: he didn't deny their existence, but reduced their real quality and emphasized the allegedly violent nature of their actions.

The Belarusian authorities still considered human rights issues solely in the political dimension. During the conference of 16 October Lukashenka also stated: “There are issues which need to be solved. This is demanded from us by the West, and in Russia critical voices can be heard not only from the opposition, Lukashenka is criticized in Duma (the Russian Parliament) as well». The head of the state admitted that he was most concerned with the unchangeable position of the European Union concerning the possibility of renewal of relations only under the condition of the release of all political prisoners. While presenting credentials to the Ambassadors of five foreign countries on 5 October A. Lukashenka said: “We expect the EU to refuse from the pointless pressure on our country and start taking steps for renewing the trust to it as a serious partner and a good neighbor”. This statement was also a peculiar message to the EU before the sitting of the EU’s Foreign Affairs Council on 15 October in Luxembourg, whose agenda included the extension of sanctions against Belarus. As a result of the hints about the desire to resume the dialogue, voiced by Lukashenka, the stabilization of the level of repression and the release of political prisoners Siarhei Kavalenka

and Pavel Syramalotau at the end of September, the European Union took a compromising decision: the restrictive measures against the official Minsk were prolonged on a full scale, but not increased. Thus, the EU decided not to escalate the political confrontation, simultaneously marking its principled position: "As not all political prisoners have been released and no released prisoner has been rehabilitated, and against the background of the lack of improvement as regards the respect for human rights, the rule of law and democratic principles, the Council decided to prolong the existing restrictive measures until 31 October 2013. In this context, the Council recalls its Conclusions of 23 March 2012 and reiterates that its policy on restrictive measures remains open and under constant review", is stated in the conclusions of the Foreign Affairs Council. The EU expressed the intention to periodically review the restrictive measures towards Belarus depending on the development of the situation in the country and "demand the release and rehabilitation of all prisoners".

The dialogue on human rights between the Belarusian delegation and the High Commissioner for Human Rights Navanethem Pillay on "Protection and Promotion of human rights" within the framework of the 67th session of the UN General Assembly is quite eloquent. On 24 October the representative of the regular mission of the Republic of Belarus at the UN Larysa Belskaya stated that Belarus "wholly implemented its undertakings in the sphere of human rights". According to her, Belarus was ready to cooperate with the human rights instruments of the UN including the High Commissioner on Human Rights on the basis of "objective and unbiased approach". At the same time, her statement fails to meet the reality: for the last 14 years Belarus hasn't presented any periodical reports concerning the implementation of the International Covenant of Civil and Political Rights; not a single decision of the UN Human Rights Committee concerning violation of citizens' rights by the Republic of Belarus has been implemented; the majority of the recommendations, worked out by the UN Human Rights Council within the Universal Periodical Review were deemed as unacceptable; the official Minsk refused from cooperation with the UN Special Rapporteur on Belarus Miklos Haraszti. The representative of the official delegation of Belarus did not touch upon these problems in her speech, as well as the wide range of human rights questions, put to Belarus by various UN institutions, concentrating solely on the success in the struggle against human traffic.

In October, the Constitutional Court of the Russian Federation adopted a ruling confirming the obligatory nature of decisions of the UN Human Rights Committee: "Though neither the International Covenant on Civil and Political

Rights nor the Optional Protocol to it oblige States to implement views of the Human Rights Committee, it does not free the Russian Federation from bona fide and responsible implementation of these decisions. Any other position would not only put to doubt the implementation by the Russian Federation of the voluntarily accepted international agreements, but would also witness the non-implementation of the duty to recognize and guarantee civil and human rights and would make deprive of any sense the right of everyone to apply to the Human Rights Committee". This is a serious counter-argument to the position of the Belarusian authorities, which call decisions of the UN Human Rights Committee "recommendatory views of international experts" and invariably ignore their undertaking to restore the violated rights of Belarusian citizens.

As it became known in October, the National Center for Legislation and Legal Research at the Presidential Administration addressed some "interested state institutions and other organizations" with a letter, in which they were proposed to express their opinion concerning the necessity to create a national institution for the promotion and protection of human rights in Belarus, and their proposals concerning the most acceptable form of such institution and the main agenda of its activities. The NCLLR pointed that this initiative was connected to the implementation of a recommendation received by the Republic of Belarus within the procedure of the Universal Periodical Review (UPR). At the same time, none of the human rights organizations which took part in the drafting of this recommendation (set forth in the alternative report on the situation of human rights in Belarus, which was presented during the UPR) and monitor its implementation were proposed to voice their proposals on this issue. This raises concerns that the Belarusian authorities are trying to imitate a public discussion of an issue which is important for the whole human rights sector. A meeting of representatives of a wide range of human rights organizations was held on 16 October, at which it was stated that the proposed form of discussion of the issue of the national human rights institution did not correspond to the demands of the full-fledged participation of NGOs in the implementation of the UPR recommendations, provided by its procedure. The human rights defenders demanded that a transparent, open and public discussion of the issue with an equal participation of all interested parties, including the human rights organizations which were deprived of registration, was held. They also set forth some preconditions for the dialogue between the state institutions and human rights organizations: the release of all political prisoners including the human rights defender Ales Bialiatski and cessation of all forms of pressurization on human rights activists and organizations.

Political prisoners. Politically motivated criminal prosecution

On 4 October the counsel was not allowed to meet with political prisoner and member of the organizing committee of the "Belarusian Christian Democracy" party Yauhen Vaskovich who serves his prison term in prison #4 in Mahiliou. The reason was that Mr. Vaskovich had been put in a penal cell for 7 days. As it was stated that he was to be released in three days, he must have been placed there on 1 October. On 27 October the disciplinary commission of Mahiliou colony issued another penalty to Mr. Vaskovich. The political prisoner disproved the September information that he had allegedly refused from advocatory services.

On 4 October political prisoner Mikalai Dziadok (kept in the Shklou colony) was visited by his counsel for preparing a review appeal to the head of the Supreme Court against the refusal to recognize Mikalai Dziadok a victim of Chernobyl (which would enable the use of amnesty towards the prisoner). According to the lawyer, M. Dziadok would be kept in a one-man cell up to 6 December. He was deprived of food parcels, meetings with relatives and telephone calls. His stomach illness exacerbated. On 20 October Mikalai Dziadok wrote his parents that he was finally allowed to receive a medical parcel. He welcomed the release of Siarhei Kavalenka and Pavel Syramalotau, but wrote that he would not write a pardon petition.

On 5 October the leader of the "Young Front", political prisoner Zmitser Dashkevich stopped his 15-day hunger-strike at Mazyr colony. The same day he was transferred from the penal cell to an ordinary cell for a month. After the hunger-strike the prison medics confessed him inclined to suicide. On 30 October Mazyr court held an ambulatory session at the colony to sanction the toughening of the prison regime for Mr. Dashkevich by transferring him to a cell-type prison facility till the end of the term (the end of August 2013). The trial lasted for ten minutes. Dashkevich's counsel did not attend it, as his client thought it would have no impact on the results.

On 8 October former political prisoner Siarhei Kavalenka, released at the end of September after writing a pardon petition for A.Lukashenka, was summonsed to the criminal-executive inspection of Pershamaiski District of Vitsebsk and informed about his new duties – to get registered at the inspection each three months until his conviction was canceled. During the next two years Mr. Kavalenka will have to come to the inspection, whose officers initiated a criminal case against him for alleged violation of the regime of the personal restraint (to which he had been sentenced after

hanging out a white-red-white flag on the New Year Tree in Vitsebsk on 7 January 2010).

On 16 October Paris City Council awarded the Belarusian human rights defender Ales Bialiatski, vice-president of the International Federation for Human Rights, with the title of a honorable citizen of Paris on proposal of the Paris Mayor and the Council of the 11th district of Paris. As it became known on 19 October, Ales Bialiatski, who is kept in the penal colony #2 in Babruisk, was not allowed to receive a medical parcel sent by his wife, Natallia Pinchuk. Though she did not exceed the allowed limit – 2 kilos, the parcel was returned to her with the explanation that the parcel was to weigh not more than one kilo. The reasons for such restriction of weight weren't explained.

On 17 October the British daily “The Evening Standard” published a fragment of interview with Aliaksandr Lukashenka of 9 October, where he promised to release the journalist Iryna Khalip from home arrest. The interviewer asked Lukashenka why Khalip could not, for instance, go to Moscow for getting medical treatment, and said he could offer his personal guarantee for her. “Is she still in Belarus?”, Lukashenka answered. “I thought she was in Moscow. Send her away with the evening horse, together with Zhenya (journalist Yevgeny Lebedev). Take her away and don't bring her here anymore. Let her go. It is the first time I hear she cannot go abroad to get medical treatment in Moscow. I cannot talk about this person at all. You want to take her to Moscow? Let's do it.” The journalist reminded that Khalip was under a personal recognizance, after which Lukashenka addressed one of his aides with the request to ascertain the details of her case. “Find out who is responsible for it in the police or wherever, and tell me”, says Lukashenka. “And we'll settle this for you. It's not about Khalip, after all. I have taken the decision already. You see, dictatorship can be kind as well. No president would have taken the decision at once, but I have done it.” “What decision?”, Lebedev asks. “You'll take Khalip to Moscow to your home, or wherever, instead of your wife”. In her interview with “Novaya Gazeta”, a staff member of which Iryna Khalip is, she said that on 15 October she had come to get registered at the police and asked whether she could really go away to Moscow. “They laughed and said that if I tried to go abroad I would be immediately declared wanted and returned to Minsk in handcuffs”, said Iryna Khalip. “Lukashenka is not interested in my release. I was to have been released on amnesty this summer. My inspectors from the Main Police Department prepared the documents for the amnesty and we joked that will soon have to bid our farewell. The law on amnesty was adopted by the

upper and the lower chambers of the parliament. When only the president's signature was left, I was informed that I had no legal right to be released on parole. In May 2011 Iryna Khalip had been found guilty of taking part in the "mass riot" after the election of 19 December 2010 and sentenced to two years of imprisonment with the deferment of the sentence for two years. She had no right to leave Minsk, had to get registered at the police each week and be at home after 10 p.m. everyday. The deferment ends on 20 July 2013, after which her case can be reviewed by the court, which will decide whether she must be sent to prison or left in the same status for some other term. It's worth mentioning that later the interview disappeared from ww.standard.co.uk for unknown reasons and Lukashenka's press-service stated he had given no promise to release Khalip. At the same, a video recording of the interview is still accessible on the web.

On 21 October the investigative organs ruled that the investigation into the criminal case against Hrodna correspondent for "Gazeta Wyborcza" Andrei Pachobut was to be extended for another month. "The term of the preliminary investigation into the criminal case against Pachobut under Art. 367, part 2 of the CC of Belarus is extended for another month, until 21 November 2012, for conducting additional investigative measures," stated the official representative of Hrodna Region Department of the Investigative Committee Siarhei Sharshanevich. A.Pachobut continued being kept under a written recognizance in Hrodna. He was charged with libel against A. Lukashenka. No investigative actions were conducted during the investigation, he wasn't summonsed anywhere.

On 22 October an activist of the "Our House" civil campaign Mikalai Petrushenka received from Vitsebsk Region Department of the Investigative Committee a ruling about dropping the criminal case against him, instigated under Article 369 of the Criminal Code, "insult of a state official". The ruling was signed by lieutenant-colonel of justice S. Sakharava. The case was dropped because of the results of the linguistic expertise, held by Vitsebsk State Pedagogical University named after P. Masherau. The expertise failed to find any traits of insult in the article "Pedophile received wage bonuses for the best playgrounds" published at nash-dom.info.

On 23 October Maryna Adamovich, wife of political prisoner Mikalai Statkevich, stated that means of hygiene, including soap, toilet paper, toothpaste and disposable razors, hadn't been issued to prisoners by the administration of Mahiliou prison for the whole nine months during which her husband had been kept there. Mikalai Statkevich still had to use the

spectacles that are unfit for his sight (which started rapidly deteriorating at the remand prison of the KGB in the beginning of 2011). Despite the sudden fall of temperature, heating was not turned on in Mahiliou prison, and prisoners continued suffering from cold.

Torture and cruel treatment

As it became known on 3 October, Salihorsk police saw traits of libel in the address of local "Young Front" activist Ivan Shyla concerning the death of Salihorsk citizen A. Trafimovich in Salihorsk remand prison. The address concerned the events of July 2012, when the young Salihorsk citizen was detained for "disorderly conduct" and placed to the remand prison of Salihorsk DPD, from which he was taken away to resuscitation with a cranial trauma, and subsequently died without coming to his senses. The police stated they possessed a video recording, at which the arrested could be seen falling on the floor without anyone's assistance an hitting his head on the toilet sink. Ivan Shyla, who has repeatedly served arrest terms at this prison because of his civil activities, applied to the Minister of Internal Affairs in connection with this obscure incident, blamed the head of the Police Department of Salihorsk District Executive Committee A. Astreika on it and demanded a public demonstration of the video recording. The Ministry of Internal Affairs charged A. Astreika (who I. Shyla demanded to draw to legal account) with answering the address. Aliaksandr Astreika stated that Salihorsk District Department of the Investigative Committee was holding a check-up on the death of A. Trafimovich within the framework of the Criminal-Process Code. The demands for a public demonstration of the aforementioned video and the points connected with the admission of public representatives and media to the remand prison were simply ignored. Moreover, in the activist's application the police allegedly saw "corpus delicti, provided by Article 9.3 of the Code of Administrative Violations (libel). Salihorsk DPD held a special check-up on this matter, but "the administrative proceedings on the case were stopped as no corpus delicti was found".

Death Penalty

On 2 October the Ambassadors of Latvia, France and Italy to Belarus and representatives of the EU delegation in Minsk presented a dйmarche to the Belarusian authorities in connection with the Universal Day against the Death Penalty, marked on 10 October. The dйmarche was a joint decision of the EU Delegation and the accredited EU Ambassadors and was aimed at reminding that Belarus remains the only European country where the death

penalty is still used. The European Union has repeatedly called on Belarus to introduce a moratorium on the death penalty.

On 10 October activists of the “Human Rights Defenders against the Death Penalty” campaign held the presentation of the documentary “Departed on Sentence” (the phrase which is used in the official documents and to inform the convicts' relatives about their execution). Presentations of the documentary were held throughout October in different towns and cities of Belarus, including Brest, Mahiliou Mazyr, Homel, etc.

Harassment of human rights activists and organizations

On 6 October human rights defender Nasta Loika was detained for several hours on the Lithuanian-Belarusain border. This happened when she was returning home from Vilnius by a route bus. The border guards of the crossing point “Kamenny Loh” searched her and her belongings, after which an appropriate report was drawn up. Nasta returned to Minsk late in the evening.

On 9 October Minsk Economic Court ruled to liquidate the informational and educational institution “Platform”, which dealt with the protection of prisoners' rights. The decision was taken on the lawsuit of Savetski District Tax Inspection of Minsk. According to it, the organization did not present a tax and income declaration in time and did not inform the tax agency about the alleged change of its address. In fact, the “Platform” provided all documentation timely, but the tax inspection was allegedly losing them. The trial was lead by Judge Aleh Kliuiko. Representatives of the institution and its head Andrei Bandarenka stated their intention to appeal the court verdict. On 12 October the Observatory for the Protection of Human Rights Defenders decisively condemned the ruling on the liquidation of the “Platform”, considering it as arbitrary and aimed at sanctioning human rights activities.

Pressurization of social and political activists by security services

On 8 October a fourth-year student of the Sakharov University, Inna Panchkouskaya, was called to Partyzanski District Department of Education in Minsk. The formal reason was to find out why the girl wanted to get a second higher education at the Belarusian State University. However, as it was found out later, the meeting was organized by the KGB, whose officers

paid interest to Inna's foreign trips. Three weeks before this a police officer talked to Inna's mother. As the girl wasn't home at the time, the policeman asked the mother to tell her that she was a witness of some fight. In fact, Inna Panchkouskaya didn't see any fights. In some time the university's administration started to pay an unusual attention to the girl. She wanted to acquire a second higher education degree in the Belarusian State University. That is why she addressed the dean's office and the university's administration asking to allow her to study in a different institution at the same time as the procedure requires. At first the student's application was passed from one office to another, but later the university's vice-provost said that the Department of Education got interested in her that is why she would be called for a talk. The first thing that seemed suspicious to the girl was that the men who introduced themselves as the Department of Education's officials didn't give the address where she was supposed to come, but met her near the entrance of the building. The meeting was held in a huge assembly hall. The two men didn't want to tell who they are, but in the course of the conversation it became clear they were from KGB, not from the Education Department. They asked the student about her trips abroad – whom she traveled with and who paid for that. They started shouting at the girl at the end of the talk, as she refused to answer the majority of the questions which had nothing to do with the initial topic – her entrance to the BSU. After the "meeting" she filed an appeal to the head of Partyzanski District Education Department, requiring explanations as to who exactly had a talk with her and on what grounds. During a private conversation the head of the Department Alena Asadchaya said she didn't know who these men were. "I just got a call from the personnel department of the Ministry of Education and was asked to provide the hall. I don't know who these people are," answered the official.

On 22 October a KGB officer phoned to the mobile phone of an activist of the Belarusian Christian Democracy Aleh Aksionau and offered to meet. He said he could present him a writ and bring it anywhere, if necessary. Aleh Aksionau agreed to meet and came to the Mahiliou region KGB department several hours after it. A senior investigator of the KGB Andrei Makhunou held a talk with him. He informed Mr. Aksionau that he was put on the preventive supervision register for activities on behalf of the unregistered organization (the BCD). The activist was proposed to familiarize with the appropriate document of 11 October 2012, signed by the head of Mahiliou KGB department Ihar Siarheyenka. Aleh Aksionau wasn't proposed to sign any papers.

Administrative prosecution of social and political activists, arbitrary detentions

On 2 October two police officers came to Mikalai Ulasevich's apartment and drew up a report for alleged insubordination to police (Article 23.4 of the Code of Administrative Offenses) which had allegedly taken place on 21 September. Bear in mind that on 21 September the activist was detained in Astravets for handing out electoral leaflets. Later the police searched him and his car, which was followed by a search in his village house. The police confiscated the leaflets. According to Mr. Ulasevich, they didn't want to charge him for distribution of printed matter and therefore had to invent this “insubordination”.

On 8 October Navapolatsk District Court considered an administrative case against a BCD activist Siarhei Malashonak who was detained that day while trying to hang out a streamer “Freedom to political prisoners!”. The activist was charged with violation of Article 23.34. of the Code of Administrative Offenses, “violation of the order of holding mass events” and fined 300,000 rubles.

At about 5.20 p.m. on 8 October in Mahiliou, two activists of the campaign against the death penalty were detained for handing out posters and stickers against the death penalty. According to one of the campaign activists, Uladzimir Chumakou, the youngsters were detained after a telephone call of some “vigilant” citizens and guarded to Leninski District Police Department of Mahiliou. A report under Article 21.14, part 2, “Violation of the urban maintenance rules” and a report for confiscation of the printed matter were drawn up against them as a result of the inquiry which lasted for almost five hours.

On 9 October on Kastrychnitskaya Square in Minsk the police detained participants of the art project “Going Public”, artist Mikhail Hulin together with three assistants – Aleh Davydchyk, Uladzislau Luk'yanchuk and Siarhei Panasiuk, and a correspondent of the “Nasha Niva” weekly Tatsiana Haurylchyk. Hulin and his assistants were holding the performance “Difficulties of expression in public space”. During the detention Hulin and the assistants were just carrying some abstract constructions on the square. They were approached by some riot policemen, who told they needed to come with them for checking their identities. Then the detainees were set on a bus and driven to Tsentralny District Police Department of Minsk, where the police told them its was necessary to take their fingerprints. The de-

tainees refused to be subject to this procedure voluntarily, as a result of which physical violence was used. Tatsiana Haurylchyk was released three hours after the detention, whereas Hulin and the volunteers were charged with insubordination to police. The trial of Aleh Davydchyk and Uladzislau Luk'yanchuk started at Tsentralny District Court on 22 October. Judge Tatsiana Tkachova decided to aggregate the cases of all four accused in one and appointed the trial on 29 October. That day the video recording of the detention was viewed, at which it could be seen that the participants of the art project had showed no resistance to the police. The case was dropped on 2 November.

On 11 October in Minsk the leader of the youth initiative “Alternative” Aleh Korban and civil activist Uladzimir Siarheyeu were detained for a flash-mob against the propaganda on Belarusian TV. They put a TV set with the logo of the 1st National TV channel on the corner of Niamiha and Haradzki Val streets and put noodles atop and around it. “To put noodles on somebody's ears” in Slavonic languages is an idiom meaning “to tell bold lies”. They also put a shield “Donations for BT” and scattered small bonds around, hinting that the state propaganda was cheaply priced. The detainees were charged under Article 17.1 of the Code of Administrative Offenses, “disorderly conduct”. On 12 October Judge of the Partyzanski District Court of Minsk Ryta Sharai sentenced both of them to 5 days of arrest.

On 12 October Judge of Slutsk District Court Uladzimir Areshka abolished the ruling of the administrative commission of Slutsk District Executive Committee according to which a civil activist Vital Amialkovich was guilty of posting stickers. The case materials were returned to the commission for being reviewed. Bear in mind that on 6 September the commission had fined Mr. Amialkovich 1 million rubles. The activist appealed this verdict at Slutsk District Court. The judge asked Vital, who had detained him in the night of 14 July. The latter answered he still did not know it: the police officer hadn't introduced himself and his name hadn't been voiced at the sitting of the administrative commission. Moreover, the administrative proceedings against the activist were accompanied with gross violations of the part of Slutsk District Police Department.

On 25 October police inspector Dz. Mizger paid a visit to the local market where entrepreneur and civil activist Mikalai Charnavus worked. Having questioned vendors and entrepreneurs, he drew up a report charging Mr. Charnavus under Article 23.34,part 2 of the CAO, “organization and holding of unauthorized events”. The policemen qualified as

such the charitable dinner, held by Mr. Charnavus near his market stall on 6 October.

On 27 October in Miyory, "Young Front" activists Dzmitry Kremianetski and Raman Vasilyeu were detained after the wedding of their fellow activist Mikalai Dzemidzenka. The car by which Raman Vasilyeu was returning home, was stopped at the drive-out of Miyory, after which he was detained. Dz. Kremianetski was detained near the cafe where the wedding party was held. On 29 the detainees were tried at Miyory District Court on charges in disorderly conduct, Article 17.1 of the CAO. The head of Miyory District Court Natallia Hryhor'yeva declined two solicitations of Raman Vasilyeu, who asked to be provided with advocatory services and stated impeachment to the judge. Testimonies were born by road policemen Milto and Verashchaka. R. Vasilyeu felt bad during the trial and was taken to hospital with the suspicion of a hypertension stroke. Testimonies against Dz. Kremianetski were given by the head of the public order and prophylaxis section of Miyory DPD Uladzislau Yudkin, and Mikhail Kurazh. Mr. Kremianetski was sentenced to 5 days of arrest.

On 27 October in Svislach (the Hrodna region) four participants of the traditional commemorative action in honor of the participants of the anti-Russian insurgency of 1863-1864 Viktar and Kastus Kalinouskis, were detained: the student of the Belarusian National Technical University Ales Krot, Stanislava Husakova from Vitsebsk (a Belarusian-speaking Russian citizen), a member of the "For Freedom" movement and the Belarusian Popular Front Party Vitold Ashurak from Biarozauka and a Hrodna activist Vital Lopasau (who was released after the trial, as he had his minor son with him). The detention took place on Saturday, that's why three detainees were kept in the remand prison during the week-end. All of them were charged under Article 23.34 of the CAO, "participation in unauthorized mass event". On 29 October Svislach District Court considered the administrative report against S. Husakova, but the ruling was delivered the following day. On 30 October the head of the Svislach Court Aliaksandr Shylin found Ales Krot, Stanislava Husakova and Vital Lopas guilty of taking part in an unauthorized mass event with the use of unregistered symbols. As a result, Krot and Husakova were sentenced to 3 days of arrest (most of which they had already served before the trial), and Lopas was fined 3 million rubles. Vital Ashurak was tried on 1 November and sentenced to 3 days of arrest as well.

Restrictions on freedom of speech and the right to impart information, persecution of journalists

On 1 October the «Belarusian Association of Journalists» received a reply to an appeal to the head of the public security section of the main police bureau of Minsk City Executive Committee Aliaksandr Ioskin concerning respect of journalists' rights during street actions. «There is a practice of interaction with the media during public events, including unauthorized political actions. Depending on the situation, representatives of the police groups for interaction with journalists render information, voice comments, express wishes and explain the acting legal regulations," stated Aliaksandr Ioskin in his reply. The official wrote that in his opinion the level of interaction of the police with journalists during civil and political events was «sufficient.» However, in fact police officers often grossly violate the rights of the journalists. For instance, one of the recent cases is the detention and beating of the journalists who covered a "Tell the Truth!" action on 18 September in Minsk.

On 7 October the "Associated Press" photographer Siarhei Hryts received an official response from Frunzenski District Police Department of Minsk, which carried out a check-up on the fact of his arrest and beating during the unauthorized rally on 18 September. As it follows from the answer, the police department conducted a check-up the actions of the its officers at the journalist's request and found no corpus delicti in their actions (Art. 174, point 2, part 1 of the Criminal Procedure Code of the Republic of Belarus). «It proved to be impossible to establish the circumstances of the injury of Hryts S.V., since none of the police officers had used physical force and violence or police gear, towards him. It is also impossible to establish the fact of deletion of the footage from the video camera of Hryts S.V., as none of the police officers had taken it away from him and the police hadn't established the presence of any footage on it, which means that there is no corpus delicti provided by Art. 198 of the Criminal Code. The ruling was signed by the deputy head of the public security and prophylaxis section of Frunzenski DPD A.Chumik and the deputy head of the police bureau of Frunzenski District Executive Committee of Minsk R.Vaskrasenki.

On 9 October, video correspondent of "Nasha Niva" weekly Tatsiana Haurylchyk was detained on Kastrychnitskaya Sqaure in Minsk during the art performance "Difficulties of expression in the public space" and taken

to Tsentralny District Police Department of Minsk together with the performance participants. The journalist was released three hours after the detention, all footage was deleted from her camera.

On 12 October, Judge of the Savetski District Court of Homel Siarhei Ulasau abolished the fine to civil activist Aliaksandr Pratsko who had been selling a private newspaper "Novy Chas" in an "improper" place. The case was returned to the administrative commission of Savetski district of Minsk to be reviewed.

On 12 October the third trial over the creator of the web-site vrogacheve.ru Dzianis Dashkevich came to an end at Rahachou City Court. Before this, the local state-owned newspaper had twice tried to draw him to account for alleged violation of copyright. This time the court finally found Mr. Dashkevich guilty of violation of copyright (Article 9.2 of the Administrative Code) and punished him with a fine of 3 million rubles. The judge mentioned neither the accusation article, nor the allegedly committed crime while delivering the sentence. The newspaper's claim concerned the alleged repost of information at the website, including official police reports and information from the local hospital about the number of the dwellers who received frostbites last winter, which means that the newspaper correspondents weren't the original authors.

As it became known on 16 October, the authorities of Krychau district were trying to restrict access of journalists of the "Volny Horad" newspaper to information about the state of affairs in the district, threatening officials with troubles for disclosing such information to them. In particular, on the eve of the Parliamentary election of 2012, the head of the Krychau district KGB department Illia Krauchou delivered a speech at the extended state council on the results of work of the agricultural complex for eight months of 2012. The official directly threatened with problems to those who provided "third parties" with "closed" information. Though he didn't explain what he meant, some of the present people associated his statements with a series of revealing articles concerning Krychau District Executive Committee, the prosecutor's office and the administrations of the state plants, which had been published in "Volny Horad".

On 16 October a police inspector paid a visit to Astravets activist Mikalai Ulasevich and proposed him to give written explanations concerning the interview which had been published at belaruspartizan.org under the

title: “I walk on KGB provocations like on a minefield” several days ago. M.Ulasevich refused to give any explanations, saying everything was clear in the interview and required no explanations.

On 18 October Homel Region Economic Court fined the chief editor of the “ARCHE” magazine Valery Bulhakau 500,000 rubles. All profit from the sale of the magazine, 875,000 rubles, was confiscated as well. The court considered the “Hrodna incident” of 14 September, when Mr. Bulhakau had come to Hrodna for the presentation of a book from the “ARCHE” series, “Sovetization of the Western Belarus” by Yan Shumski. The event was attended by officers of the tax inspections who conducted a “control purchase”, followed by confiscation of about 200 copies of the magazine and the books for which there were no covering documents. The development of the events after this incident presents a threat to the further existence of the edition. On 21 September officers of the Financial Investigations Department of the State Control Committee visited the printing house where the magazine was printed. On 24-28 September the documents about the activities of “ARCHE” for the last two years were exacted from the printed house. On 1 October the chief editor agreed to come to the Financial Investigations Department. On 2 October more than 5,000 editions from the private collection of the chief editor of “ARCHE” were attached. On 4 October “ARCHE” founder Andrei Dynko was summonsed to the FID, after which he decided to dismiss Valery Bulhakau from the position of the chief editor and appoint his deputy Aliaksandr Pashkevich instead of him. However, the same day the FID blocked the “ARCHE” account, as a result of which the magazine lost the ability to pay for the printing of new issues, the model of one of which was already at the printing house. On 5 October Valery Bulhakau went to the FID. On 12 October the new chief editor of “ARCHE” and its accountant went to the FID too. On 17 and 18 October Valery Bulhakau and the accountant were summonsed to the FID again. Though no official charges had been presented to the “ARCHE” staff so far, from the content of the interrogations at the FID it followed that the investigation was conducted on two main directions: the purposefulness of the use of the printing paper and the correctness of the acceptance of donations by the editorial office of the magazine. On 26 October a report about the situation around the “Arche-Pachatak” magazine was shown in the “Zone-X” program on the 1st channel of the Belarusian TV. As it was stated in the report, ex-editor Valery Bulhakau could receive a criminal punishment. According to journalist Aliaksandr Viarbitski, the reason for the criminal proceedings against Mr. Bulhakau could be the “extremist character” of the confiscated literary editions – if it was proved by a repeated examination.

On 20 October there turned 8 years since the assassination of journalist Veranika Charkasava. The identity of the killers has not been established, the investigation has been suspended. As stated by a representative of the Investigative Committee, the case was passed to this institution short after its establishment and was subsequently suspended due to the impossibility to establish the identity of the perpetrator. Before that, the investigation had been suspended in 2007 on the basis of the articles of the Criminal-Process Code "Impossibility to find the person to be drawn to responsibility in the capacity of the accused". Initially the investigation considered a domestic murder as the main version, Veranika's son and his stepfather being the main suspects. The suspicion was removed from them in April 2005.

On 22 October Larysa Shchyrakova, a freelance journalist from Homel, was summonsed to Homel Region Prosecutor's Office by Iryna Makarevich, an officer of the corruption and organized crime department. Pretensions of the prosecutor's office to L.Shchyrakova concerned her work for foreign mass media without official accreditation and her comment on the air of the satellite TV channel "BelSat" concerning the arrest of the head of Homel City Executive Committee Viktar Pilipets. The officer of the prosecutor's office informed the journalist that she would be issued with an official warning for cooperation with a foreign mass media without an official accreditation. The same day the deputy head of Homel Region Prosecutor's Office Vasil Brouka signed the warning, in which it was stated: "The regional prosecutor's office held a check-up on information from Homel Region KGB Department, as a result of which it was established that you conduct activities for the benefit of the producing company N.E.W.S. Informacja (Warsaw, Poland) and gather information about sportive, cultural and socio-political events in the region. Moreover, on 26 September you recorded information about the arrest of the former head of Homel City Executive Committee Viktar Pilipets for the TV air of the Polish media "BelSat". As it was established by a check-up, you, having no working or any other relations with mass media and having no accreditation at the Ministry of Foreign Affairs as a journalist for a foreign medium, act as a journalist, including for the Polish producing company N.E.W.S. Informacja and the TV company "BelSat", which is a violation of the Law "On mass media". It was the second prosecutor's warning issued to Larysa Shcharbakova in 2012.

Restrictions on freedom of assembly

On 3 October Baranavichy entrepreneur and civil activist Mikalai Charnavus received a letter signed by the deputy head of Baranavichy City Exe-

cutive Committee Dz. Kastsiukevich, informing him about the prohibition of the picket he intended to hold on 7 October. By means of this action Mr. Charnavus intended to inform the public about the creation of an initiative group for gathering signatures for free use of the public transport by schoolchildren going to extra-curriculum classes. The answer traditionally had no information as to what was violated by the applicant, and proposed him to apply to Baranavichy District and City Court in the case of disagreement.

On 4 October, Brest authorities declined the application of representatives of the Belarusian Trade Union of Radio Electronic Industry for authorization of a picket dated to the World Day for Decent Work, 7 October. The action was banned despite the fact that the trade union activists intended to hold it in the park of soldiers-internationalists (the officially determined place for the opposition's actions). The picket organizers intended to draw the public attention to the fact that Brest region had the lowest average wages among all Belarusian regions and there were no conditions for decent work all over the country. Brest authorities explained their answer with the statement that some festive events related to the Teacher's Day would be held in the park of soldiers-internationalists at the time of the action.

On 26 October Brest human rights defender Uladzimir Vialichkin filed an individual communication to the UN Human Rights Committed concerning the violation of his freedom of expression and peaceful assembly by Belarus. The reason for the application became the prohibition of a picket in support of the imprisoned head of the Human Rights Center "Viasna" Ales Bialiatski. Brest City Executive Committee motivated the prohibition by a reference to the failure of Mr. Vialichkin to conclude service agreements with the public utilities, medics and police. The attempts of the human rights defender to appeal the ban at the Belarusian court instances brought no result.

On 26 October, having come through all court instances at the national level, Brest activist of the Belarusian Leftist Party "Fair World" Aliaksandr Dzenisenka filed an individual communication to the UN Human Rights Committee concerning the prohibition of the picket by means of which he had intended to draw public attention to the impossibility to build dwelling on affordable prices. The Leninski District Court had turned down his appeal against the ban, stating that the authorities had rightly prohibited the action due to the failure of the organizers to conduct service agreements with the police, medics and public utilities. This verdict was subsequently upheld by Brest Region Court and the Supreme Court of Belarus.

On 28 October the traditional mass event of the Belarusian democratic opposition dedicated to the Ancestors' Day, “Dziady”, was held in Minsk. This event was authorized by Minsk City Executive Committee in the form of a procession and a rally. The event went on peacefully. Its participants did not deviate from the sanctioned route and didn't violate any laws. Representatives of the police and security services did not use violence. However, they shot participants of the event on photo and video cameras. Often they weren't dressed in the uniform and had no IDs. An under-aged activist Illia Khormau, who carried white-red-white ribbons in his bag, was detained before the beginning of the action and later released. Uladzislau Shved was detained and charged under Article 17.1 of the CAO, “disorderly conduct”. A white-red-white flag was confiscated from him. Needless, to say, the detentions were completely unlawful.

Restrictions on freedom of association

On 4 October Hrodna Region Court considered the appeal of the Belarusian Popular Front Party against the justice bureau of Hrodna Region Executive Committee who refused to register Hrodna region BPF branch. The interests of the BPF Party were represented by Yury Chavusau and Vadzim Saranchukou. Judge Zoya Nikolskaya found nothing illegal with the actions of the justice bureau and denied the regional party organization in holding its activities on a legal basis. Bear in mind that a constituent assembly of Hrodna regional BPF branch had taken place in May 2012. A packet of documents was filed to the justice bureau for registration of the branch. However, the registration request wasn't satisfied by the officials. Having suspended the process of registration, the justice bureau demanded that the organization provided personal data of its members, including their surnames in Russian. Though even this information was submitted, the registration did not take place.

As it became known on 25 October, all 14 institutions to which the public association “Young Democrats” had applied with the request for lending room for its constituent assembly on 3 November, answered with refusals. In all cases it was written that all halls would be occupied on that day, and the Palace of Military Officers didn't even explain the reasons for the refusal.

On 29 October Homel activists of the initiative “Stop drinking – start living!” stated that they were unable to get a legal address in order to get

their NGO registered with the state. “We receive agreements and promises to supply us with guarantee letters during preliminary meetings”, said the initiative coordinator Kanstantsin Zhukouski. “However, the following day we receive telephone calls with refusals for various reasons”. He believes that those who provide legal addresses to organizations must have received instructions from the authorities to inform them about such requests. That's why some organizations easily receive legal addresses, whereas some other, “disloyal” ones cannot receive them at all.

Review-Chronicle of Human Rights Violation in Belarus in November 2012

The human rights situation in Belarus in November can be described as a period of stagnation and crisis: the stably bad situation remained the same, and a significant deterioration was registered.

This characteristic ensues from the general crisis in the relations between the Belarusian authorities and the European Union, as far as the level of respect to human rights in Belarus strongly depends on the foreign policy factors. In fact, the exchange of messages between the Belarusian side and representatives of the European community lasted throughout the month. The statements concerned the possibilities to renew the dialogue and cooperation, and the preconditions for this.

On 14 November, at the expert conference «Belarus at the crossroads of integration: the relationships with the EU in the situation of forming a Eurasian Union», the head of the European Union mission in Belarus Maira Mora reported that a technical dialogue between Brussels and official Minsk was going on, but noted that the negotiations were very difficult due to the failure of the Belarusian side to implement the main requirement – the «liberation and restoration of rights of political prisoners.» «The relations between the EU and Belarus were once much better than now», – said M. Mora.

«The relations between the EU and Belarus are at a stage when the parties need to take time for reflection», said the British Ambassador to Belarus Bruce Bucknall on 14 November. According to him, the EU offers clear conditions that must be fulfilled in order to improve relations. «The most important one is the release of political prisoners. Belarus is in Europe, and we want to see that it shares European values», said the diplomat.

The Belarusian side, in its turn, replied: «If you want us to change in the desirable direction, then sanctions is not the best way», stated A. Lukashenka in an interview to «Reuters» on 26 November. «We have already made so many steps at the request of the EU and certain politicians that one could walk 10 kilometers, but have received no promised steps towards us. Therefore, it's up to you to conclude who is to make such steps now. We are ready to do it, but you must not come to us for negotiations and audiences and put conditions to us. We have implemented several dozens

of such conditions and have received increased sanctions in response.» Lukashenka also pointed that almost all people convicted in the aftermath of the presidential election had been released. «You have come to me and said that Europeans demanded their release. I said fine, but according to our laws. You have to appeal to the President to get pardoned. All those who had appealed, were pardoned, despite their guilt. One or two have not applied. They say they feel better in prison, they will be heroes then. Alright, let you stay in jail,» added A. Lukashenka.

Thus, the EU has consistently demanded the release of all political prisoners, without any exceptions, to restore relations with the official Minsk, which, in its turn, waited for a positive reaction to each of the previous intermediate steps. This deadlock could not find a positive solution, and 12 political prisoners remained hostage to the stubborn position of the Belarusian authorities.

At the same time, Aliaksandr Lukashenka returned to rejecting the existence of political prisoners. During the October press conference for Russian regional journalists he said: «We have two or three prisoners, who stormed and broke the House of Government», whereas in the interview with «Reuters» he said: «What for do you smother Belarus with sanctions? You say, there are some political prisoners here. Well, come and show at least one political prisoner, but as specialists. Show at least one person illegally convicted by us, and we'll show you all our materials.»

The same position was also voiced concerning the convicted head of the Human Rights Center «Viasna» Ales Bialiatski, sentenced to 4.5 years in prison on charges of tax evasion. At his meeting with students of the Belarusian State Economic University on 13 November Lukashenka stated about double standards in the assessment of the case: «The information was given to us by the European Union through Lithuania, where he kept his money. Well, in America, you can get a life sentence for tax evasion – this is normal.»

Aliaksandr Lukashenka also denied the existence of problems in other spheres of human rights, including freedom of speech and expression. In the same interview, he told «Reuters»: «We can not close people's access to the media. All Russian channels are broadcast, «Euronews», CNN, BBC, BBC, we receive the «Reuters» news line. There is Internet in everyone's houses. Please, open and read if you like.» Meanwhile, foreign mass media have been still subject to censorship, and the existing Belarusian

ones (both national and regional) were under pressure, forced to survive in discriminative conditions. The criminal cases against journalist Andrei Pachobut and student-journalist Anton Surapin (who was the first to post «Teddy Troopers» on his website in July) were not dropped. The practice of harassment of media personnel for the performance of their professional duties continued.

Arbitrary detentions and administrative punishments were still used towards activists of public organizations and movements and political parties. The persons who tried to express alternative opinions through public events, faced severe restrictions. The practice of pressure and harassment of human rights defenders human rights organizations continued too.

An important event in the field of human rights was the official inauguration of the UN Special Rapporteur on the situation of human rights in Belarus, Miklos Haraszti on 1 November. The Rapporteur addressed his first official statement to the Belarusian civil society and the Government of Belarus to call both sides to open dialogue in order to promote and protect human rights in the country. According to the expert, his first step will be to seek a meeting with the Government of Belarus to discuss ways to share information needed for a better implementation of his mandate. «Open channels of communication and dialogue with the authorities and other stakeholders are necessary to ensure the accuracy of the reports that I must submit to the Human Rights Council and the General Assembly next year in accordance with my mandate», said Mr. Haraszti. The Belarusian human rights community responded to the invitation of the Special Rapporteur, and on 12-13 November the Belarusian Human Rights House in Vilnius hosted a meeting of Belarusian human rights defenders with Miklos Haraszti. Consultations were held on a wide range of issues concerning the human rights situation in Belarus.

At the same time, the official Minsk repeated that it did not recognize the mandate of the Special Representative. On 20 November Belarusian delegation stated at the 67th session of the UN General Assembly that it did not support the resolution on the report of the UN Council on Human Rights. According to the Counselor of the Permanent Mission of Belarus to the UN Larysa Belskaya, the decision was made by the Belarusian side for reasons of principle, including those related to the adoption by the Council of a resolution in July 2012 that established the «politically motivated mandate of the Special Rapporteur on Belarus»: «We have repeatedly stated that the Council's decision had nothing to do with the real situation of human

rights in Belarus and is aimed at interfering with the internal affairs of our country. Both the resolution and the mandate of the Special Rapporteur on Belarus were imposed on the international community by a group of EU states which promote their political agenda in the Council. The main task of the resolution and the mandate based at it is deliberate anti-government activities in Belarus under the cover of the UN.»

Political prisoners. Criminal prosecution of public activists

On 5 November the grandmother of political prisoner Yauhen Vaskovich received a letter in which he asked not to file any complaints and show no initiative concerning his case.»The press can write about me. But not often, and only that I am a prisoner. « He also asked that the press did not write about the specific content of his letters. It is possible that the publication of some details of Yauhen's life in the press and electronic media irritates the prison administration, which has a negative impact on the prisoner.

On 8 November MEP Marek Migalski sent an appeal to the prison #4 in Mahiliou and the Head of the MIA Department of Corrections, asking to stop the repression of the former presidential candidate Mikalai Statkevich. The reason for the appeal was the information that the prison administration seeks to isolate him completely: he was not allowed to meet with an Orthodox priest, the correspondence is blocked, parcels, newspapers and books do not reach him. On 9 November Mikalai Statkevich met with his counsel. Referring to the counsel's words, the wife of the political prisoner Maryna Adamovich said that M. Statkevich had been transferred to another cell with better conditions, and on 1 November he had been visited by an Orthodox priest. Maryna Adamovich also told about the reaction of the administration of Mahiliou prison to Statkevich's complaint about non-issuance of hygienic means despite the exaction of money on it from his pension. «They tried to convince him that the expenditures on toilet paper, soap, razors and so on had no relation to the exacted money. At the same time, he was promised that all these things will be issued to prisoners starting from the new year.»

On 8 November it became known that political prisoner Zmitser Dashkevich had been transferred to prison #1 in Hrodna. On 9 November he had a meeting with his counsel, who then told about the details of escorting his client from Mazyr to Hrodna. As it turned out, the process of the transfer started on 4 November. He spent a day in Mahiliou prison and one more day – in Baranavichy prison. In the morning of 7 November he arrived at

the Hrodna prison, where he spent a day in quarantine, after which he was transferred to a cell in the new prison building, called «American» because of the greater control on part of the administration in comparison to the old building. At the same time, the question of sleeping places is not so acute in the new building. The conditions in Hrodna prison have no considerable differences from those in the cell-type buildings in the Hlybokaye and Mazyr prisons, where Dashkevich was kept before this. On 15 November the counsel had another meeting with Dzmitry Dashkevich. As it is known, the political prisoner is kept in the cell alone. In the conditions of high security he is allowed to receive only one parcel weighing 2 kilograms a year, so he has to eat what is given in prison. In the local kiosk he can buy something after filing an application, for no more than 100,000 rubles a month (about $ 12).

On 8 November, 22-year-old deputy head of the youth association «Union of Young Intellectuals,» mechanic of the «Naftan» enterprise Andrei Haidukou from Navapolatsk was detained in Vitsebsk. Several days after it he was transferred to the remand prison of the KGB in Minsk. Activist of the organizing committee of the Belarusian Christian Democracy Party, Navapolatsk citizen Illia Bahdanau was interrogated on the case and released from jail under a written recognizance not to leave. The KGB official website reported that «the State Security Committee prevented the illegal activities of a citizen of the Republic of Belarus, who was engaged by a foreign intelligence service in collection and transmission of information of political and economic nature. This citizen was detained by the KGB while making a cache with some information requested by foreign intelligence services. A criminal case under part 1 of Article 356 of the Criminal Code of Belarus «Treason in the form of intelligence activities» was instigated against him, a complex of operational-investigative activities aimed at identifying other episodes of his illegal activities is conducted.» On 22 November the civil initiative «European Belarus» stated that Andrei Haidukou was arrested when transporting a part of the circulation of the newspaper «Charter'97» for distribution in Vitsebsk region. On 29 November it became known that he would be transferred from the KGB prison to prison #2 in Vitsebsk.

On 9 November political prisoner Eduard Lobau, who is serving a sentence in Ivatsevichy colony #5, met with a priest. The last meeting of the believer with the priest took place almost a year ago. On 16-19 November the mother of Eduard Lobau, Maryna Lobava, had a long-term meeting with her son. She reported that the son did not complain about the conditions of detention, he was still in a good health, although he had recently had a cold,

but then felt better, kept cheerfully and was in a good mood. According to her, Eduard didn't work in the colony as far as there was no work there – only one working brigade was left. Instead of it, he read a lot. He was subscribed to many newspapers and received all of them. He had no problems with the administration of the colony and other prisoners.

On 10 November the mother of Ihar Alinevich, who is serving a prison sentence in the Navapolatsk colony, had a long-term appointment with her son, which was abridged from three days to just one. The colony administration did not let her pass food, including two sacks of apples she wanted to donate to the brigade where her son was kept. Ihar Alinevich has been deprived of food parcels for six months. He is a vegetarian. The sum of money he could spend on food and means of hygiene was decreased to 100,000 Belarusian rubles (about $12) a month, as he was a «persistent violator» of the prison regime.

On 21 November the official representative of the Investigative Committee of Hrodna region Siarhei Sharshanevich announced continuation of the preliminary investigation in the criminal case of Hrodna correspondent of the Polish weekly «Gazeta Wyborcza» Andrei Pachobut for another month. According to him, it was done «to conduct additional investigative and process actions,» and a number of linguistic examinations was appointed «to give an objective assessment of the actions of the accused.» On 29 November Andrei Pachobut was summoned to the investigator's office and informed about the appointment of another linguistic examination on his writings, to be held by workers of the Hrodna State University. It was already the fourth linguistic examination in the case. The previous ones were carried out by experts of the Academy of Management under the President, the Belarusian State University and the Academy of Sciences. A. Pachobut expressed the view that the new examination was scheduled to give more time to the investigators. The investigator also familiarized the journalist with the results of technical examination of the seized computers. «The computers were well familiar to the experts, who had checked them the previous time. The result met the expectations: «BelPartizan» and «Charter'97» were really accessed from the computer. The text files of the articles which appear in the indictment, were found there,» said Mr. Pachobut. The equipment was not returned to him, being attached to evidence. Andrei Pachobut was charged under Part 2 of Article 367 of the Criminal Code «Defamation of the President of the Republic of Belarus.» The case was brought by Hrodna Region Deartment of the Investigative Committee in June 2012 on the basis of a number of web-articles by him. On 21 June his apartment in Hrodna

was searched. The journalist was kept in the remand prison in Hrodna till 30 June, after which he was released on a written undertaking not to leave the city. According to the Criminal Code of the Republic of Belarus, he can be punished by restriction of freedom for up to 5 years, or imprisonment for the same term. A three-year sentence, imposed on Mr. Pachobut on 5 July 2011 with a 2-year deferment, can be added to this term. At that time Andrei Pachobut was found guilty of violating Article 367, Part 1, «Defamation of President». According to the law, if the convict violated this article during these two years, the 3-year imprisonment must be used towards him.

On 22 November the the Prize of Peter Kelly, awarded by Heinrich Böll Foundation to the head of the Human Rights Center «Viasna» Ales Bialiatski, was passed to his wife, Natallia Pinchuk. The prize was awarded as a sign of recognition of Bialiatski's achievements in human rights advocacy in the authoritarian Belarus. Earlier Ales refused from the monetary part of the prize, 10,000 Euros, asking to direct these means on support of human rights activities in Belarus. On 24 November a year has turned since the moment when Pershamaiski District Court of Minsk sentenced Ales Bialiatski to 4.5 years of imprisonment in a maximum security colony with confiscation of property, including the apartment where the Minsk office of «Viasna» was situated (the confiscation was appointed on 26 November 2012). On 26 November Franзois Hollande, President of the French Republic, awarded the President of the International Federation for Human Rights Souhayr Belhassen with the distinction of Knight of the Legion of Honor. He dedicated this award to all FIDH activists, especially those who were kept in prison, including the vice-president, Ales Bialiatski. On 29 November Ales Bialiatski called home from Babruisk colony. According to Natallia Pinchuk, she hadn't received letters from him for several weeks before it, that's why this short call became an important event for her. Ales Bialiatski said he was aware of the confiscation of the apartment where the «Viasna» office was situated.

As it became known on 28 November, an ambulatory sitting of Shklou District Court on the case of political prisoner Mikalai Dziadok was scheduled for 4 December. The question of directing Mr. Dziadok to a cell-type prison as a «persistent violator» was to be considered at the sitting. Judge Vital Volkau allowed Dziadok's counsel to defend him at the trial, but dismissed the motion for the presence of his father, former judge of Minsk Region Court Aliaksandr Dziadok.

According to A. Dziadok, his son had already 22 penalties for various violations of discipline, and a special commission upheld his transfer to a

cell-type prison. The father thinks that the real reason for all these penalties is that the son refuses to sign a petition for clemency.

As it was found on 28 November, Aliaksandr Frantskevich, who is serving his prison term in a maximum security colony «Vouchyia Nory», was placed in a penal cell. His mother Tatsiana Frantskevich didn't manage to find out for how long and for what reason he was put there, but does not rule out that it could be dictated by the wish of the prison administration to undermine his spirit.

Death penalty

On 21 November the mother of the executed death convict Uladzislau Kavaliou received a decision of the UN Human Rights Committee dated 14 November. The appeal was considered in a record time – less than a year. The Committee recognized that the investigation was conducted with numerous violations: physical violence was used towards Kavaliou, he was forced to testify against himself. The trial was not impartial and his right to life was violated. Liubou Kavaliova and her daughter Tatsiana Kaziar filed the communication to the HRC on 14 December 2011, and it was registered the following day. During the correspondence with the Committee the Belarusian State kept on appealing against the registration of the complaint, though its proceedings were not appealed by any country. In their responses the Belarusian authorities stressed that the decision of the Human Rights Committee was politicized and predictable, and therefore would be implemented by them. What concerns the applicants, Liubou Kavaliova and Tatsiana Kaziar, the Human Rights Committee acknowledged the violation of their right to receive the body of the dead relative and information about the time and place of his burial, and recommended that the state change Article 175 part 5 of the Criminal Code, which prohibited the issuance of the bodies to relatives. The state was also recommended to publish the HRC decision in the state-owned media. The document was sent both to the applicants (Kavaliova and Kaziar) and to representatives of the authorities (the Ministry of Foreign Affairs). Four cases concerning the death verdicts which were issued in Belarus are still pending at the HRC.

On 30 November activists of the campaign «Human Rights Defenders against the Death Penalty» joined the worldwide campaign «Cities for Life, Cities against the Death Penalty». They illuminated the outer walls of the St. Symon and Alena Church with candles. This building was not chosen by chance, it is well-known not only in Minsk, but also abroad. Moreover, the

«special corridor» where death verdicts are implemented is located near the church, in the remand prison on Valadarski Street 1.

Harassment of human rights activists and organizations

On 8 November in Sikorski Street in Brest the road police stopped the car by which human rights defender Raman Kisliak was driving. After checking his documents they said Kisliak they detained him because he allegedly evaded from some administrative proceedings. When Raman Kisliak was taken to Leninski District Police Department of Brest, it was found out that the reason for the detention was that he refused from fingerprinting. R. Kisliak had been detained for the same reason before, but applied against the demand to undergo fingerprinting at the prosecutor's office. However, on 8 November Mr. Kisliak had to undergo fingerprinting, as otherwise he could be prohibited to go abroad, which could hinder his human rights activities. Mr. Kisliak considers as illegal the fact of his inclusion in the special database, on the basis of which his car was detained, and stated his detention to appeal this decision.

On 12 November Vitsebsk human rights defender Pavel Levin who stayed in place of the explosion near the KGB building in Vitsebsk in the night time reporting news, was taken to Kastrychnitski DPD and fined 200,000 Belarusian rubles (2 basic units) for crossing the road in the wrong place. The report about the administrative offense was drawn up by the inspector Baranau. Mr. Levinau believes the inspector did it on the order of the chief inspector Khaladnou, who demanded that his subordinate divert attention from the KGB building. Before this Baranau paid no reaction to the KGB officers who also crossed the road without using the pedestrian crossing.

As it became known on 20 November, the appeal instance of Minsk Economic Court turned down the appeal against the liquidation of the «Platform» institution. According to the head of the «Platform» Andrei Bandarenka, the appeal was considered on 13 November in the absence of representatives of the institution. The court secretary allegedly «lost» the appeal of the human rights defenders about the postponement of the trial, and the judge pretended that it was impossible to do anything as the trial had already taken place. Andrei Bandarenka stated that a cassation appeal had been filed to the Supreme Economical Court. Another appeal was sent to the prosecutor's office.

On 21 November human rights defender Leanid Sudalenka was fined 500,000 rubles (5 basic units) on decision of Savetski District Tax Inspec-

tion of Homel. He was charged with not presenting an income and assets declaration (Article 23.9 of the Code of Administrative Offenses). Bear in mind that the tax inspection demanded income and assets declarations from Mr. Sudalenka, his wife and even his son who was is serving in the army. Leanid Sudalenka refused to present the declaration, and drew a number of important reasons. First, in 2008 the tax inspection had already demanded his return, which he had presented, after which the information from it was published in the state-owned newspaper «Homelskaya Prauda» which is illegal and violates the law (disclosure of private information by a duty official). The human rights defender also asked: who ordered such actions to the inspection, and why did the inspection pay so much interest to his family and his son who was in the army? The head of the Savetski District Tax Inspection Kanstantsin Tratseuski considered an administrative report against Sudalenka with the words «I have to do it», after which the human rights defender was immediately issued with a new demand to present the declaration.

At 10 a.m. on 26 November bailiffs, policemen, a cameraman in mufti, workers of public utilities and two witnesses came to the apartment where the office of the Human Rights Center «Viasna» had been situated for the last 12 years. The court officers sealed the premises of the organization. A few minutes before the confiscation of the office the deputy chairman of the Human Rights Center «Viasna» Valiantsin Stefanovich voiced the statement, adopted by the Board of the organization. It noted that the loss of office was a serious blow to «Vasna», but it wouldn't stop its human rights activities. The organization continues helping the people whose rights are violated and monitoring the general situation of human rights in Belarus.

In November, the tax authorities used new methods of pressure on a member of the Human Rights Center «Viasna», President of the Belarusian Human Rights House Tatsiana Reviaka. The check-up of the income and assets of the human rights defender for 2004–2010, held by Pershamaiski District Tax Inspection of Minsk, found no violations connected to the concealment of income. However, during the check-up it was found that some data from the case head of the Human Rights Centre «Viasna» Ales Bialiatski had been transferred to the tax organ. On 20 and 27 November Tatsiana Reviaka was questioned by the senior tax inspector of the department of control over income and property declaration of Pershamaiski District Tax Inspection Valiantsina Burava concerning the sums which appear in the criminal case and human rights activist Ales Bialiatski and which were supposedly transferred to her. Tatsiana Reviaka was proposed to answer

questions concerning the existence of the accounts in the Lithuanian bank, the purposes of their opening and details of the transfers of financial means on them. As it was stated in the protocol of the questioning, «the inspection has copies of the account statements of AB DnB NORD bank in Vilnius, Lithuania, according to which the Tatiana Reviaka was the receiver of the financial means» (from A. Bialiatski). However, as far as the inspector refused to provide these documents for studying by Tatsiana Reviaka, the latter refused to answer any questions concerning them, referring to her constitutional right not to testify against herself. The inspector Burava stated that the tax inspection would check the information from Bialiatski's case and decide whether to consider the means which had been allegedly transferred to Tatsiana Reviaka as her personal income from which no taxes were paid.

Pressurization of social and political activists by security services

On 19 November a member of the Asipovichy District Council, member of the organizing committee of the Belarusian Christian Democracy Aliaksei Tsiulkou was summoned to the local KGB. After a lengthy conversation, which lasted about four hours, he was warned that about the possibility of his punishment under Article 193.1 of the Criminal Code for acting on behalf of an unregistered organization. Earlier, other Asipovichy BCD activists, Uladzimir Klimanovich and Anatol Tserash, were summonsed to KGB as well.

Administrative prosecution of social and political activists, arbitrary detentions

On 2 November the administrative commission of Slutsk District Executive Committee found civil activist Vital Amialkovich guilty of violating the rules of urban maintenance. During its second sitting, the commission considered the alleged posting stickers on a lamp-post near a shop as a proven fact. This was considered as a violation of Article 21.14, Part 2 of the Code of Administrative Offenses and the urban maintenance rules adopted by Slutsk District Executive Committee. The decision was issued behind closed doors. The head f the commission Natallia Charnushevich proposed that Amialkovich left the room after learning that he had recorded the previous sitting on a Dictaphone. However, this time he managed to find out who had detained him in the night of 14 November and «seen him pasting stickers on a pole» – it was the head of the Slutsk District Police

Department Aliaksei Strom. The civil activist disagrees with the decision of the administrative commission, according to which he was sentenced to a fine of 1 million rubles, and expressed the intention to appeal it at Slutsk District Court.

On 8 November in Svislach (Hrodna region) the police drew up reports of administrative offense on the local residents Viktar Dzesiatsik, Yury Hlebik and Anatol Valiuk for taking part in a commemorative action in honor of the brothers Kanstantsin and Viktar Kalinouski. The Memorial Day of participants of the anti-Russian uprising of 1863-1864 has been marked in Svislach district for 19 years in succession. Its participants have never violated the public order or staged any provocations. However, this year four activists were arrested from different cities of Belarus, three of them were sentenced to three-day arrest terms, and the fourth – to a fine. Several days after this the police started disturbing local participants of the holiday. On 27 November Svislach District Court considered three administrative reports, drawn up on Viktar Dzesiatsik, Yury Hlebik and Anatol Valiuk. Poet Anatol Valiuk was fined first. Judge Zhana Salahubik, who led the trial, refused to summon his witnesses referring to the case that they were defendants in a similar case. The police video from the action was not demonstrated at court that day. Mr. Valiuk states that he could not be seen on the video and was really fined just for his presence in the city center on that day. Afterwards, Judge Salahubik quickly considered two similar cases, as a result of which the head of Svislach branch of the Belarusian Social Democratic Hramada Viktar Dzesiatsik and the member of the educational public association «Leu Sapeha Foundation» Yury Hlebik were fined 1 million rubles each.

On 22 November, civil activist Ales Kirkevich was questioned at Leninski District Police Department of Hrodna concerning his participation in the Insurgents' Day in Svislach district. Mr. Kirkevich answered that he had really been at this event in Svislach, and refused to answer a number of other questions.

On 8 November the judge of Maskouski District Court of Minsk Tatiana Motal sentenced «Young Front» activist Uladzmir Yaromenak to 15 days of arrest on charges in disorderly conduct (Article 17.1 of the Code of Administrative Offenses). The activist was detained in the evening of 6 November on Nezalezhnasts Square in Minsk for spilling valerian tincture on the monument to Lenin, on the eve of 7 November, the day of the October Revolution. The purpose of the action was to encourage cats from the surrounding areas come under the monument and «express their feelings» towards

Lenin. Uladzimir Yaromenak was detained by the guards of the House of the Government while preparing to the «cat protest» near the monument and guarded to Maskouski District Police Department of Minsk.

On 9 November the judge of the Maskouski District Court of Minsk Tatiana Motal sentenced «Young Front» activist Raman Vasilyeu to 15 days of arrest on charges of disorderly conduct, Article17.1 CAO. Raman Vasilyeu was detained in Minsk on 8 November and spent the night at Maskouski District Police Department. The detention was conducted when the activist went out of his house, going for a meeting. The judge considered as «disorderly conduct» Vasilyeu's participation in the action on Nezalezhnasts Square in Minsk, where «Young Front» activists had spilled valerian tincture on the pedestal of the monument to Lenin on the eve of 7 November.

On 18 November Homel resident Stanislau Yalenski was returning from Ukraine through the border crossing point «Novaya Huta» and was stopped by border guards for a thorough inspection. The reason for this was the application on the rear window of the car – a bear with a parachute, holding an inscription «Hi, air defense!» in his hands. One of the border guards paid a special interest to the bear, asked what the application meant and then called the head of the shift. The car was put in a special place. Then there came another border guard with a camera and took pictures of the bear from all angles. The reaction of the border guards must be an outcome of the «Teddy Troopers» action, held in July by Swedish citizens. The Swedes used a light aircraft to get to the territory of Belarus and drop teddy bears with demands to respect fundamental rights and civil liberties in the country.

On 19 November Baranavichy City and District Court fined entrepreneur Mikalai Charnavus 3 million rubles (3 basic units) for «organizing and holding an unauthorized mass event», Article 23.34 Part 2 of the Administrative Code, for organizing a charity dinner at the local market on 6 October. The sentence was delivered by Judge Aksana Sarakhman.

On 21 November customs officer held a personal examination of a coordinator of the youth network of the Trade Union of Radio-Electronic Industry Andrei Stryzhak. As a result, his laptop was taken away for examination. The detention was conducted by senior lieutenant Raman Tofan.

At about 3.30 p.m. on 22 November the police detained activists of the «European Belarus» Siarhei Kazakou and Valiantsina Tsiurava for handing

out the «Charter'97» newspaper. The detainees were taken to Zavadski DPD and released after 7 p.m.

On 26 November representatives of political parties and NGOs gathered near the monument to Uladzimir Karatkevich in Vitsebsk to mark an anniversary of his birthday. The police considered the reading of his poems and speeches of lovers of his creative works as an unauthorized mass event. As a result, the present people had to disperse for fear of detention. All in all, 14 police officers were present at the action. All participants of the action were shot on video by a cameraman in mufti. At first the police just watched the events. Then a policeman in the uniform, but without a badge with his surname, stated that those who gathered there were participants of an unauthorized mass event who used unregistered symbols – he meant the white-red-white ribbons fastened on the chest of the audience. When the regional coordinator of the «For Freedom» movement Khrystafor Zhaliapau asked the policeman to introduce himself, the latter told he was major Bahdanau and threatened to detain the people if they refused to disperse. On hearing Bahdanau's words about the unauthorized event the policemen ringed the action participants. The people decided not to spoil the celebration of the anniversary by proceedings at the police and at court, that's why the people dispersed in 10-15 minutes.

Restrictions on freedom of speech and the right to impart information, persecution of journalists

On 13 November it became known that the former head of the «ARCHE» magazine Valery Bulhakau had left Belarus. According to him, he was made to do it due to the investigation which was started against the intellectual edition by the authorities. He also suggested that the investigation may consider various options to incriminate him various crimes: associated either with the spread of extremist publications or illegal business activities, or the abuse of official position. On 16 November the editorial board of the «ARCHE» magazine decided not to include the edition in the subscription catalog of «BelPoshta» for the first half of 2013 and asked this state enterprise to return to the subscribers the means for the second half of 2012. According to the statement, published at the website of the magazine, the edition has experienced a constant pressure since the middle of September, especially on the part of the Financial Investigation Department (FID) of the Committee of State Control. «An enhanced scrutiny of the «ARCHE» business is conducted, its staff is called for interrogations at the FID, the state TV seeks to create the impression that some of the historical materi-

als published in the magazine are extremist. The blockage of the «ARCHE» accounts disrupted the printing of several issues, which had been prepared for publication.» Appeals to the FID and higher authorities with the request to unblock the accounts of the edition were futile», reads the statement. «We do not believe it is honest to take on new responsibilities to our subscribers while the old ones remain unimplemented (the editorial board didn't manage to publish five issues for the second half of 2012). That's why we decided to refuse from including our edition in the subscription catalog for the first half of 2013 until the situation becomes clear, and ask «BelPoshta» to return the «ARCHE» subscribers the money for the second half of 2012.» On 30 November Minsk City and Region FID Bureau responded to the written request of the Belarusian Association of Journalists to unblock the bank accounts of «ARCHE». FID stated that the editorial board of the magazine failed to provide the necessary documents for examination. The deputy head of Minsk City and Region FID Bureau A.S. Lahunou wrote that this was the reason for blocking the accounts. However, the editorial board of «ARCHE» insisted they had passed the FID all the documents which were demanded from them.

As it became known on 14 November, Belarus was put on the «Europe Watch List» of the International Press Institute (IPI). Along with our country, it includes Turkey, Hungary and Ukraine. All of them are disturbing examples of deviation from the freedom of the media in Europe. The list of countries is made on the basis of reports of experts of IPI and its affiliate, the South East Europe Media Organization (SEEMO). «Although the List focuses on particular countries to increase its impact, that limitation is not a suggestion that other countries lack similar concerns, but a reflection of IPI and SEEMO's view that media freedom in these four particular countries is under major threat», explains the organization.

On 21 November the Belarusian Consulate in Bialystok refused to issue a long-term visa to President of the Belarusian Radio «Racyja», chairman of the Belarusian Union in Poland Jauhen Vapa. In May 2011 his valid Belarusian visa was annulled.

On 22 November Svetlahorsk City Executive Committee issued a ruling which obliged the local enterprises and organizations to subscribe to the state press for the next year, starting from «Sovetskaya Belorussiya» and ending with the district state-owned newspaper «Svetlahorskiya Naviny». The appropriate order of the Director General of the Svetlahorsk enterprise «Khimvalakno» («Chemical Fiber») Vasil Kastsiukevich to its structural subdi-

vision concerning the obligatory subscription to 8 official newspapers leaked to the Internet. The heads of the subdivisions were made put in charge of «organizing the subscription to periodicals among the subordinates». According to the order, it is done «to provide a better information of employees about the political, economic, social and trade union life of the country and the region,» and for «the formation of a common spirit and goals». To do this, they must subscribe to 465 copies of «Sovetskaya Belorussiya», 5 copies of «Zviazda», «Narodnaya Hazeta» and «Znamia Yunosti», 12 copies of «Gomelskaya Pravda», 1 copy of «Respublika» and 501 copies of «Svetlahorskiya Naviny». The practice of forced subscription to state-owned editions also exists at other enterprises. The Steel Works Plant, situated in the neighboring town of Zhlobin, needs to subscribe to the district state-owned newspaper «Novy Dzen» and the factory one, «Metalurh», in addition to the aforementioned ones. Rechytsa teachers say they are being forced to subscribe to «Nastaunitskaya Hazeta» for the small sums they are issued on the purchase of instructional materials.

On 12 November 41 copies of the BELARUS PRESS PHOTO 2011 album were taken away from the photographers Yuliya Darashkevich and Aliaksandr Vasiukovich at the border crossing point «Kamenny Loh». The photographer and organizer of the «Press-photo of Belarus» contest Yuliya Darashkevich stated that the customs officers decided to examine the albums to find whether they had any information which harmed the Belarusian state. She notes that these albums were published quite legally and all fees for them had been paid off a long time ago. On 26 November the Ashmiany customs office informed A.Vasiukovich that «the printed matter – 41 copies of BELARUS PRESS PHOTO was recognized illegal (not corresponding to the State Standard of the Republic of Belarus STB 7.4-2009. «Editions. Imprint») as a result of the customs examination and must be destroyed. BELARUS PRESS PHOTO is an annual competition of media photographers, founded in 2009 by Belarusian photographers. Dozens of Belarusian photographers take part in this prestigious competition every year. The final exhibitions are demonstrated far beyond the Belarusian borders. Two compilation albums of the best photos have been published so far.

Restrictions on freedom of assembly

On 5 November Vitsebsk members of the Conservative-Christian Party «Belarusian Popular Front» received an answer from Vitsebsk City Executive Committee. They were denied in holding their procession and meeting, as they intended to hold them in the places that hadn't been determined by the

authorities. At present, there are three places for mass events in Vitsebsk. All of them are located on the outskirts of the city. CCP BPF activists disagree with this situation: they applied for the authorization of a procession from the railway station to Lenin Square, where they intended to hold a picket. CCP BPF member Yan Dziarzhautsau pointed that on 7 November they planned to talk to citizens about the harmful role of the communist ideology in the development of Belarus and the activities of Communists to destroy the national culture, language and identity of the Belarusian people.

On 25 November there was held the authorized «Slavonic March», initially appointed on 11 November. The event was organized by Dzmitry Dzenisenka, who has a relation to the web resource http://14vn.com and is an informal member of a pro-Russian radical organization acting on the territory of Belarus. The aforementioned website has a radical orientation and stands against Belarus as an independent state. Among the objectives of the «Slavic March» stated on the website there were rebuilding a united and indivisible Russia, Russian Slavic brotherhood and unity, traditional moral values, a true Orthodox spirituality, the revival of the pan-Russian traditions, social justice, resistance to the global electronic concentration camp (chipization of the population). The local authorities allowed the event, but did not allow to use black-yellow-white flags, a symbol of the monarchic movement which used to be the official flag during the times of the Russian Empire. The prohibition on the use of the flag was explained by the fact that it hadn't been registered officially in Belarus. During the procession the marchers chanted «Glory to Russia», «Russians advance!», etc. Some time after the action, on 29 November it was reported that an activist who had posted anti-fascist leaflets on lampposts short before the action had been detained. The leaflets featured a crossed Nazi symbol (eagle holding a swastika) and the Russian coat of arms, double-headed eagle. The activist printed them on his own printer. He was noticed by the road policemen who called the police who then guarded the detainee to Leninski District Police Department, where he was interrogated, got charges and a summons for 29 November. According to the activist, before he was taken to the DPD, a KGB officer had approached him, examined the leaflets and made it clear that he would not have any problems with them. At the DPD the activist was charged with posting leaflets without a special permission and in an undisclosed location. When Aliaksandr came to the police on 29 November, he was told that the case was dropped and the appropriate ruling had been mailed to him.

On 28 November Slutsk City Executive Committee prohibited the BPF Party to hold a rally in the memory of participants of Slutsk uprising. The

rally was scheduled for 1 December at the city stadium. The reason for the ban was that the local authorities would allegedly hold some events on the occasion of the World AIDS Day. Among the organizers of the rally in the memory of members of Slutsk uprising there were the head of the BPF Party Aliaksei Yanukevich and the head of Slutsk BPF branch Vital Amialkovich. The stated number of participants was about 100 people. The week before this members of the CCP BPF held unauthorized procession and rally dated to the Heroes' Day near Slutsk local core museum.

Restrictions on freedom of association

On 27 November believers of the Protestant church «New Life» received the decision of the Supreme Economic Court, according to which they were ordered to leave their temple by 5 December. At 11 a.m. they were to pass the keys to Maskouski District Housing Repairs and Utilities Association of Minsk. The believers have been struggling for their building for seven years already. In 2005, Minsk City Executive Committee adopted a ruling, according to which the church was deprived of its plot of land. The believers passed 30 court proceedings defending their property rights, but lost all of them. In 2006 they had to resort to a hunger-strike. After this, the church pastor was invited to the Presidential Administration for a talk with Aleh Praliaskouski, the then deputy head of the Presidential Administration on ideology. Lukashenka knew about this case and asked the believers to stop the hunger-strike for solving the case by legal means. The believers went for it, but the case was transferred to the Supreme Economic Court for reconsideration. In 2008, Minsk City Executive Committee proposed them to choose another territory for constructing a new church, in Sharanhovich Street. However, the Protestants refused from this proposal, referring to the fact that the decision on their case hadn't been taken yet. Moreover, the proposed area was insufficient for the church. On 27 November the believers held a gathering to decide on the future actions to protect the church. The parishioners didn't even consider the option of voluntary leaving the temple, which they had constructed from an old cowshed. On 29 November Maskouski District Executive Committee of Minsk informed the bailiffs that the Housing Repairs and Utilities Association refused from the building of the»New Life». On 4 December the church lawyer Siarhei Lukanin was told about this in a telephone conversation with the bailiff of the Economic Court Volha Shcharbovich. Thus, the court decision about the eviction was still in force, but the court proceedings on the case were stopped and the case was passed to the archive. Siarhei Lukanin received the appropriate documents in the evening of 4 December in Minsk City Economic Court.

Review-Chronicle of Human Rights Violations in Belarus in December 2012

In December, the foreign policy still played a decisive role in the situation of human rights in Belarus. The general stagnation in the relations between the Belarusian authorities and the European democracies determined the stably bad situation of human rights and fundamental freedoms without significant deterioration during the reported period.

12 political prisoners were still kept behind bars and the question of their release was consistently stated as by the EU and the US as a fundamental condition to resume dialogue with the Belarusian authorities.

During the 5 December meeting with the Belarusian human rights activists in Brussels, the European Commissioner for Enlargement and Neighborhood Policy Љtefan Fыle again confirmed that the release of political prisoners was a prerequisite for beginning a dialogue of the European Union with the official Minsk.

The statement of the US Department of State of 19 December also contained the demand of immediate and unconditional release of political prisoners, and reminded about the joint statement of Belarus and the US of 1 December 2010, which confirmed that «great respect for democracy and human rights remains a central topic in improving bilateral relations. « «We regret that the Belarusian authorities stepped on the path of isolation instead of it, starting repressions against their own people», says the document.

At the same time, the official Minsk was still trying to push its concept of pragmatic dialogue, ignoring the key political requirements of the EU. December saw a number of notable talks of the Foreign Minister of Belarus Uladzimir Makei with representatives of the EU and the EU institutions.

On 17 December the press service of the Belarusian Foreign Ministry stated that during the meeting of the Director of the Department of Russia, Eastern Partnership, Central Asia, regional cooperation and the OSCE European External Action Service Gunnar Wiegand, with the Minister of Foreign Affairs of Belarus Uladzimir Makei «the sides discussed a range of issues relating to the current state of relations between Belarus and the EU and the

ways to normalize them. « During his visit to Belarus G. Wiegand also met with relatives of political prisoners and human rights defenders and assured them that the topic of political prisoners was still on the EU agenda and is constantly stressed in the talks with the Belarusian authorities.

The same day Uladzimir Makei had a telephone conversation with the Czech Foreign Minister Karel Schwarzenberg on the occasion of the 20th anniversary of diplomatic relations between Belarus and the Czech Republic. According to the press service of the Belarusian Foreign Ministry, the ministers discussed the subject of the relations with the European Union and the ways of their normalization, as well as «the achievements and prospects of further development of Belarusian-Czech cooperation». Meanwhile, the press service of the Czech Foreign Ministry issued a more detailed message: «The Ministers agreed on the importance of mutual relations and expressed their interest in expanding relations not only at the bilateral level, but also at the EU level. Mr. Schwarzenberg reiterated that the Czech Republic was interested in cooperation with Belarus in the Eastern Partnership. The poor human rights situation in Belarus, including the issue of political prisoners, was discussed as well.»

A few days later, Uladzimir Makei had a series of meetings with ambassadors of Finland, Estonia and the UK. Despite the fact that the press service of the Foreign Ministry reported only that the talks concerned issues of cooperation, economic and trade cooperation, the development of contacts (both bilaterally and through the European Union), it can be assumed that the release of political prisoners topic as a prerequisite for the establishment of relations in all spheres was discussed too.

These meetings give reasons to believe that some negotiations are being conducted between the official Minsk and Brussels which could lead to the release of political prisoners in exchange for some steps towards Belarus on part of the EU. However, no visible results or signs of Belarus' readiness to make any concessions to the EU were noticed by the end of December.

The situation of civil and political rights remained stably poor. Cases of arbitrary detention and politically motivated administrative penalties against activists of social and political organizations and movements were registered. In fact, it was impossible to enjoy the right to peaceful assemblies, whose participants intended to express alternative views and draw public attention to the human rights situation in the country. In particular, none of the applications for the authorization of street actions on the anniversary of the

events of 19 December 2010 were satisfied. The practice of harassment of journalists and human rights defenders in connection with their professional activities continued, as well as the pressure on the independent media and organizations.

Political prisoners. Criminal prosecution of public activists

On 3 December it became known that letters of political prisoner Zmitser Dashkevich were burned in Hrodna prison. Here's an excerpt from his letter to Tatsiana Seviarynets: «I am ready to greet you once again Once again, as my previous letter to you was burned. They say it was very cold in the prison, and according to the decree on saving of energy, one shall warm oneself up with materials at hand. This is where letter came into play.» On 26 December in Hrodna Zmitser Dashkevich married Nasta Palazhanka who took his surname. After the procedure, they were allowed to stay together for some 5 minutes. The marriage gave them the right to meet – for the first time in two years – two hours through a glass window. Before this, Zmitser and Nasta made several attempts to get married, but did not succeed, as Zmitser was either transferred from one prison to another or some other obstacles were created. Moreover, during a year there remained one formal obstacle – Zmitser was not returned his passport after the trial. His relatives and lawyer kept writing complaints to various state institutions for more than six months. Eventually the prosecutor's office answered that «it was impossible to find or confirm the exact location of the passport». This answer became the former reason to require the issue of a new passport to the prisoner. After this, there were numerous postponements, delays and disruptions of the marriage. At the end, the registry office informed Nasta Palazhanka that the procedure of marriage would be held on 19 December. Afterwards, the date was transferred to 26 December. Zmitser Dashkevich was convoyed to the registry office.

On 3 December Baranavichy civil activist Ryhor Hryk tried to pass about 40 books of Belarusian and foreign authors to the remand prison #6 in Baranavichy, where political prisoner Vasil Parfiankou was kept. The deputy head of the prison, major Aliaksandr Pupko, refused to call the librarian to test, evaluate and deposit the brought literature. After consulting with the prison administration he stated to Ryhor Hryk that «our institution does not need books». On 13 December a sitting of the commission on parole took place in the prison. Vasil Parfiankou was denied release on parole as he «did not mend his ways». Before the sitting, he kept receiving penalties for insignificant violations of the regime. On 26 December a

solicitation for changing the commission's decision was passed on behalf of Mr. Parfiankou.

On 4 December an ambulatory sitting of Shklou District Court concerning political prisoner Mikalai Dziadok was held. This information was spread by his father Aliaksandr Dziadok with reference to the son's counsel. Aliaksandr Dziadok, a former judge of Minsk Region Court, stated that his son had already 22 penalties for various violations of discipline, and the special commission voted for his transfer to a cell-type prison facility. On 10 December it became known that he was kept in cell-type prison #4 in Mahiliou. The father didn't manage to find when Mikalai had been transferred from Shklou colony to Mahiliou prison.

On 6 December the relatives of the civil activist Andrei Haidukou, charged with «high treason», received the first letter from him, dated 29 November. He asked the relatives to find a new counsel for him and stated that the falsifications in his case could reach the scale of absurd. The operator of the Navapolatsk oil-processing plant «Naftan» was detained on 8 November in Vitsebsk. At first he was kept in custody in the KGB remand prison in Minsk, and then was transferred to Vitsebsk remand prison #2 for unknown reasons. Haidukou's counsel found about this transfer on 27 December, when she came to the prison to meet with him. As it became known on 27 December, another suspect appeared in the «high treason» case, Navapolatsk activist of the organizing committee of the Belarusian Christian Democracy Illia Bahdanau who initially had the status of a witness. That day he was interrogated at Vitsebsk Region KGB Department by investigator Aleh Barysevich who investigated Haidukou's case. The interrogation lasted for more than 4 hours and I. Bahdanau was warned that the following interrogation would take place on 9 January 2013. and he would have confrontations with Andrei Haidukou due to discrepancies in their testimonies.

On 8 December Mikalai Statkevich phoned his relatives from prison for the ninth time in 2012. His wife Maryna Adamovich said that he was in a good mood and talked cheerfully. He said he read a lot and did physical exercises. According to Mr. Statkevich, by the end of the year there could be held a sitting of a special commission which could change the regime of imprisonment for him. On 14 December the prisoner was visited by his counsel. On 16 December the prisoner was awarded with the International Prize of Willy Brandt. The award was founded by the Social Democratic Party of Germany and is awarded contribution to mutual understanding and peace among peoples. It consists of two parts. The main part was awarded

to the Norwegian Prime Minister Jens Stoltenberg, whereas Statkevich was awarded «For personal political courage». On 29 December the prison administration allowed Mikalai Statkevich a two-hour meeting with his wife as a result of the Supervisory Board of the penitentiary institution about the mitigation of the prison regime for him, as a result of which he got the right to another meeting with the family.

On 8 December political prisoner Yauhen Vaskovich was released from the penal cell after serving a ten-day arrest. The administration of the Mahiliou prison #4 refused to inform the relatives about the reasons for the penalty.

On 19 December it became known that in the course of its 64 session the United Nations Working Group on Arbitrary Detention (WGAD) adopted decision A/HRC/WGAD/2012/39 in which it found that the detention of Mr. Ales Bialiatski, President of the Human Rights Center (HRC) "Viasna" and FIDH Vice-President, was arbitrary, "being in contravention of article 20, paragraph 1, of the Universal Declaration on Human Rights [UDHR] and article 22 of the International Covenant on Civil and Political Rights" (ICCPR). The WGAD emphasized that "the adequate remedy is to release Mr. Bialatski and accord him an enforceable right to compensation pursuant to article 9, paragraph 5, of the [ICCPR]". This decision follows a communication which had been addressed by the Observatory to the WGAD on April 2, 2012 to contest the legality of Mr. Bialiatski's detention. The news was passed to Mr. Bialiatski by his wife Natallia Pinchuk who had a two-hour meeting with him on 20 December in Babruisk colony #2. N. Pinchuk said that Ales looked and kept well and didn't complain about his health. She had passed him a food parcel on 30 December. On 30 December charter97.org website announced the winners of the National Award in the field of protection of human rights in 2012, among which there was listed Ales Bialiatski.

On 24 December Pavel Seviarynets was allowed a 3-day meeting with his parents in the open penitentiary institution #7 in the village of Kuplin in Pruzhany district of Belarus. On 30 December Mr. Seviarynets celebrated his 36th birthday. More than 30 guests came to him, including people from Minsk, Hrodna, Salihorsk and Valozhyn. At that time a parcel prepared by the Polish Embassy was delivered to his home address in Vitsebsk.

On 24 December the mother of political prisoner Ihar Alinevich, Valiantsina Alinevich, stated that her son was prohibited to put on a sweater despite the freeze. He wrote about it in a letter from prison: «They think

that a T-shirt, the prison robe and a padded jacket are enough for a man to keep warm. By the way, it is not allowed in prisons either, but at the remand prison of the KGB I had three sweaters. I am 100% sure I would have died there without them.»

On 24 December the administration of Mahiliou colony #15 allowed a long-term meeting (one day) with father to political prisoner Artsiom Prakapenka. At the same time, the former was not allowed to pass warm clothes and was ordered to take away a part of the foodstuffs he had brought with him. The prisoner's mother Vialeta Prakapenka stated that the son started having problems with his teeth, though everything used to be alright. nerve in his back, causing great pain.

On 26 December Tatsiana Frantskevich, mother of political prisoner Aliaksandr Frantskevich, received a telephone call from a guy who had been serving a term in the Ivatsevichy colony. He said that Aliaksandr Frantskevich had been put in the penal cell for ten days after refusing to clean the territory (a job considered insulting among prisoners). Tatsiana Frantskevich expressed concern with the state of the son's health, as he has just one kidney and placement in the penal cell could do a serious harm to his state. It was already the third placement in the penal cell for Aliaksandr Frantskevich during 2012. On 30 December Tatsiana Frantskevich visited her son in prison together with the counsel. As it became known to her, the son was denied a short-time meeting with relatives, scheduled for the middle of January 2013 for paying a visit to another brigade, which is prohibited by the prison rules. After the placement in the penal cell the state of the prisoner's health considerably deteriorated.

On 26 December photo journalist Anton Surapin said that he was still under house arrest, but knew nothing about his status. The photographer was released from the KGB remand prison four months ago and wasn't called for interrogations after this. He thinks that the situation will get clearer after the end of the trial over the border guard who had let the Swedish «Teddy Troopers» in Belarus. Mr. Surapin continues studying on the fourth year of the journalist faculty of the Belarusian State University. He had no problems with his studies or talks concerning the imprisonment with the administration of the faculty. Anton Surapin was the first journalist to upload to the Internet the photos of the teddy bears who had been thrown down from a plane by Swedes. He was arrested and charged under Article 6 part 16 of the Criminal Code (assistance in committing a crime), and Part 3 of Article 371 (illegal crossing of the state border of the Republic of Belarus).

On 27 December political prisoner Eduard Lobau was visited by a priest, Father Dzmitry from Pinsk diocese. According to his mother Maryna Lobava, the visit was to have taken place on the eve of Christmas, but the priest did not manage to come in time as he was too busy. E. Lobau confessed and took communion. The meeting was watched by the political officer. According to Maryna Lobava, the priest was assigned to the colony and will have an opportunity to visit Eduard Lobau and other prisoners of the Catholic denomination.

Death penalty

On 10 December there was held the traditional award ceremony for outstanding achievements in the field of human rights. Liubou Kavaliova, mother of Uladzislau Kavaliou (executed by shooting for the alleged engagement in the explosion in Minsk metro), was declared the human rights defender of the year. The prize was passed to her by the member of the Belarusian Helsinki Committee Hary Pahaniaila. He stated that Liubou Kavaliova had demonstrated a great courage and dedication in the struggle against the repressive state apparatus which still practices savage executions. The psychological pressurization on her continued, but she didn't give up and Hary Pahaniaila stated that the issue of the death penalty could be eventually resolved in Belarus thanks to her efforts. Liubou Kavaliova remains one of the most active members of the campaign «Human Rights Defenders against Death Penalty».

On 20 December the head of the Commission on Legislation of the House of Representatives Mikalai Samaseika stated that a Working Group on Death Penalty had been established at a sitting of the Soviet of the Republic in the National Assembly. The group consisted of seven persons including five members of the Chamber of Representatives and two members of the Soviet of the Republic, and was headed by Mr. Samaseika. The MP stated that the first meeting of the Working Group would be held after the New Year: «The issue of the death penalty is a general one. The Belarusian people has expressed its view on it at the referendum, but the situation has changed since then. Our group will deal with studying all issues related to the death penalty, including the attitude of the population of the Republic of Belarus to them».

Harassment of human rights activists and organizations

On 1 December the leader of the «For Freedom» Movement Aliaksandr Milinkevich stated he would provide office space for the reception room of

the Human Rights Center «Viasna». At the end of November the apartment where Minsk office of «Viasna» was situated was confiscated by court according to the verdict to the head of the organization, Ales Bialiatski. The apartment had been registered as his property, which allowed the office to exist in that place for about 12 years (2000–2012).

On 16 December the head of the human rights institution «Platform» Andrei Bandarenka was detained while passing passport control at the National Airport Minsk-2. He was returning home from Warsaw. A customs officer phoned somewhere and took away his passport. After 20 minutes, Andrei Bandarenka was approached by two senior lieutenants of the customs office, Hardzei Kazakovich and Artsiom Hryshkevich who told him that it was necessary to conduct some «additional measures» towards him. After this, they examined Bandarenka's belongings. The procedure was carried out by the head of the shift who blankly refused to introduce himself. However, Andrei Bandarenka managed to register the number on his badge – 050-0350. As stated by the head of the shift, random customs control was carried out towards Mr. Bandarenka. The examination was conducted in presence of a medic and witnesses. A report of personal search was drawn up, after which Andrei Bandarenka was released.

On 18 December, Hrodna human rights defenders Uladzimir Khilmanovich, Viktar Sazonau and Raman Yurhel were questioned at the city police department «Center». In the evening of 19 December the reports about an alleged violation of Article 23.34 of the Administrative Code (participation in unsanctioned picket) were drawn on all of them at that police station. The formal reason for persecution became the placement of an article about the international Human Rights Day, 10 December, on the website of the Human Rights Center «Viasna». In one of the photos, Hrodna human rights defenders could be seen there holding photos of their colleague, political prisoner Ales Bialiatski.

On 24 December activists of the human rights institution «Platform» which dealt with the protection of the rights of prisoners and was dissolved by the authorities, announced the beginning of activities on behalf of a new human rights institution, «Platform Innovation». As said by human rights defender Andrei Bandarenka, the new institution will continue dealing with the protection of rights, but will no longer be confined to the protection of prisoners' rights. «Platform Innovation» has already acquired registration. Its offices work not only in Minsk, but also in Brest, Homel and Vitsebsk. The institution intended to establish offices in all region capitals of Belarus

by the end of 2013. «Platform» got registered with the state in June 2011 and closed down in autumn 2012. According to the founders, a well-known politician and civil activist Henadz Hrushavy joined the new «Platform».

Pressurization of social and political activists by security services

On 18 December the judge of the Leninski District Court of Mahiliou Yurchanka, supported by prosecutor Paliakova, dismissed the appeal of the activist of the organizing committee of the Belarusian Christian Democracy Aleh Aksionau against the establishment of preventive surveillance over him by the KGB. The judge stated that KGB acted without exceeding its powers, competently implementing its functions. During the whole court sitting the judge, the prosecutor and the KGB officers tried to convince Mr. Aksionau that establishment of preventive surveillance over him didn't mean anything as none of his rights were restricted and no sanctions were applied towards him. Meanwhile, part 2 of Article 28 of the Law «On Prophylactics» in which it is stated that KGB officers study the the conditions and way of life and control the behavior of the people who are subject to preventive surveillance. It means that the KGB receives the right to watch the activist without prosecutor's warrant, as well as temporary prohibit him to go abroad. Preventive surveillance was established over Aleh Aksionau on 22 October 2012. The reason for this was his alleged activities on behalf of an unregistered political organization, the Belarusian Christian Democracy, as well as other socio-political activities. KGB were unable to give any answers what exactly was criminal in such activities and what negative consequences they brought to the society. In Mahiliou, preventive surveillance was also established over the leader of Mahiliou organizing committee of BCD Tatsiana Shambalava and the leader ofMahiliou regional branch of the Belarusian Popular Front Zmitser Salauyou.

Administrative prosecution of social and political activists, arbitrary detentions

On 4 December the head of Hrodna branch of the Belarusian Popular Front Vadzim Saranchukou and a member of its council Iryna Danilouskaya were familiarized with an administrative report under Article 23.34 of the Code of Administrative Offenses, «participation in an unauthorized mass event», drawn on them for participation in a commemorative action in honor of insurgents Kanstantsin and Viktar Kalinouski in Svislach. On 13 December Svislach District Court fined Biaroza activist Siarhei Trafimchyk 800,000

rubles. According to the court, Mr. Trafimchyk violated the Belarusian legislation by paying visits to the graves and monuments to participants of the anti-Russian insurgency. Several trials were to have taken place in Svislach on 20 December. BPF member Iryna Danilouskaya was to have been tried at 9 a.m., but was unable to come to the trial in time. As a result, she was tried in absentia and fined 800,000 rubles. «Young Front» activist Ales Kirkevich, summonsed to court over the phone that day, didn't go there. He phoned to Svislach Distrit Court and was told that the trial had taken place in his absence and he had been fined 800,000 rubles as well. The head of Hrodna city BPF council Vadzim Saranchukou was tried in absentia as well, and sentenced to a fine of 1 million rubles. The case of another member of Hrodna BPF council, Valery Kisel, is even more absurd. He was also charged with «participation in an unauthorized mass event», though on 27 October he had been in Minsk, not in Svislach. There was no new information about the developments in his case by the end of December. There were no news about the case of CP activist Viktar Babkin either. Thus, the persecution of participants of the Svislach event has a long history. Four people were detained back on the day of the event: Vitold Ashurak from Biarozauka, Ales Krot from Minsk, Stanislava Husakova from Vitsebsk and Vital Lopasau from Hrodna. Three of them were sentenced to imprisonment and one – to a fine. Svislach activists Yury Hlebik, Viktar Dzesiatsik and Anatol Valiuk were fined almost a month after the event. Hrodna Region Court upheld the initial verdicts and did not grant any cassation appeals. On 3 December such decision was issued on the appeal of the UCP member Vital Lopasau (judge Piotr Bandyk), on 20 December – on appeals of three civil activists from Svislach – Viktar Dzesiatsik (judge Piotr Bandyk), Yury Hlebik (judge Mikalai Rychynski) and Anatol Valiuk – (judge A. Kozel).

On 5 December, Minsk police detained artist Ales Pushkin and guarded him to Leninski District Police Department of Minsk. He managed to inform journalists of Radio «Racyja» about it, after which his phone was disconnected. As it became known the following day, he had been placed to the delinquents' isolation center on Akrestisn Street after being sentenced to 12-day arrest by the judge of Leninski District Court of Minsk Maryna Zapasnik under Article 23.34 of the Code of Administrative Offenses «violation of the rules of organizing and holding mass event». She qualified as an unauthorized event his coming to the Supreme Court on 4 December with a portrait of a hero of the anti-Soviet resistance Rastsislau Lapitski on 4 December. That day Mr. Pushkin came there to appeal the ten-day arrest imposed on him by Smarhon District Court for walking on Smarhon streets with a portrait of Lapitski.

On 6 December the car of Zhlobin activist of the Belarusian Leftist Party «Fair World» Ilona Tkachova was detained at the border crossing point «Novaya Huta» on the Ukranian-Belarusian border. The activist was returning home from Egypt together with her husband and ten-year-old daughter. Their belongings were searched, a photo camera and a laptop were confiscated. The border guards showed Mrs. Tkachova a scanned copy of the order for the search of her car. The procedure of the detention and search lasted from the afternoon till 10 p.m. The following day Ilona Tkachova wrote an appeal to the head of the border crossing point against the unlawful detention of her family and confiscation of her things.

On 8 December the police burst in the private house in Tyrazhny Passage 22 in Minsk where the theatric play «Silence Zone» was being shown by the Free Theater. The police came there at the beginning of the play, stopped it and started putting down the passport numbers of the present people. The play continued after the police went away. The day before, on 7 December, the police also visited another show of the Free Theater and also put down the passport data of the spectators.

On 12 December the leader of «Zmena», the youth wing of «Tell The Truth!» civil initiative Pavel Vinahradau was summonsed to Maskouski District Penal Inspection of Minsk where he is kept under surveillance and has to get registered. The police took him to Pershamaiski District Police Department of Minsk, where he was presented charges under Article 23.34 of the Code of Administrative Offenses. After this Mr. Vinahradau was taken to court, but the trial was postponed as his counsel was unable to attend the hearing. On 17 December the judge of Pershamaiski District Court of Minsk Yury Hrabouski sentenced Pavel Vinahradau to 5 days of arrest for the «toy rally», held near the National Library on 10 Deember. All in all, the activist spent 66 days behind bars in 2012.

On 18 December the trial of socio-political activist from the town of Varniany Mikalai Ulasevich came to an end. The Astravets District Court fined him 4 million rubles. The trial established a record in Hrodna region – it took the court 9 (!) sittings to punish Mr. Ulasevich, as far as the latter kept struggling for his rights as hard as he could, first alone, and then – with the assistance of a counsel. Mikalai Ulasevich had been detained during the latest local elections, two days before the main Voting Day – on 21 September 2012, and charged with the distribution of unlawful agitation production. Later the charges were changed to «insubordination to the police».

In the evening of 19 December, the second anniversary of the post-election protests in 2010, the social activist Nina Bahinskaya was detained on Kastrychnitskaya Square in Minsk while trying to raise the white-red-white flag. The activist was taken to Tsentralny District Police Department, questioned and released after 3 hours, the flag was taken away.

At about 11 a.m. on 19 December in Vitsebsk the members of the organizing committee of the Belarusian Christian Democracy Aliaksei Kishchuk and Aliaksandr Laurenau were detained. Their car was stopped by traffic police. The registration certificate of the car was invalid, that's why Stanislau was fined 650,000 rubles as the owner of the car. Then the detainees were guarded to Pershamaiski District Police Department and charged with «disorderly conduct» (they allegedly insulted the road policemen who detained them). The same day the detainees were taken to court, but the trial didn't take place. A. Kishchuk and S. Laurenau were taken to the remand prison. On 20 December the judge of Pershamaiski District Court of Vitsebsk Valiantsina Kismiaroshkina fined each of them 300,000 rubles. The accusation was grounded on testimonies of four road policemen. A teddy bear with the poster «Future President» was taken to Pershamaiski DPD together with the activists, but wasn't returned to them.

On 27 December Maskouski District Court of Minsk tried entrepreneur Aliaksandr Makayeu under Article 23.34, part 3 of the Code of Administrative Offenses (repeated participation in an unauthorized mass event during a year's period) for participation in the celebration of an anniversary of the anti-Bolshevik insurgency in Slutsk. His car had been stopped by traffic police during the action, on 1 December, in the village of Hrozava. On 13 December officers of Slutsk District Police Department found Mr. Makayeu at the «Rakauski Kirmash» market, took explanations from him and handed him a police report signed by the police major H. Shapashnikau. Judge Khatkevch declined Makayeu's solicitation to interrogate the witnesses of accusation at the court sitting and ruled that their testimonies were to be read. The solicitation to interrogate additional witnesses from the side of Mr. Makayeu was dismissed too. Skryhan from the Hrozava Village Soviet stated that nobody had applied for the authorization of the rally, but there were no slogans, people prayed and sang songs. Witness Taisiya Datashevich pointed that there were people with flags near the cross, there were no banners and slogans and the public order wasn't violated. Traffic policeman Davidouski stated that people sang songs in Belarusian, that Makayeu had approached the police and told that he had been the organizer of the rally. The rally was stopped in five minutes after the appropriate police order. The same was

written by police officer Kazhura. Judge Yauhen Khatkevich found the activist guilty and sentenced him to a fine of 5 million rubles.

Restrictions on freedom of speech and the right to impart information, persecution of journalists

On 2 December there took place the sitting of Slonim District Executive Committee at which the heads of the enterprises and organizations of Slonim district were ordered to personally subscribe to two state-owned newspapers for 2013 out of the following list: «Sovetskaya Belorussiya», «Zviazda», «Respublika», «Hrodzenskaya Prauda» and the district newspaper. They were ordered to bring the subscription receipts to the executive committee. All common workers of state institutions and enterprises were ordered to subscribe to one newspaper for 2013. The post offices of the city were also ordered to make visitors subscribe to the necessary number of copies of the state-owned press. As a result, many workers of post offices have to subscribe to several copies of the same newspaper to implement the order. On 19 December the chief doctor of Slonim District Hospital Yury Piatselski ordered all heads of departments of the hospital to subscribe to the district newspaper «Slonimski Vesnik» for 2013 – five copies per department. In the morning of 20 December the senior nurse of the polyclinic started gathering 7,000 rubles from each worker for subscription to «Slonimski Vesnik».

On 3 December the chief editor of the «People's News of Vitsebsk» website Siarhei Serabro was detained for paying interest to the extraordinary activities in the vicinity of a woodworking plant, located on the outskirts of the city. The plant administration was getting ready to a visit of Aliaksandr Lukashenka. The journalist was detained by the police which were called by the guards. Mr. Serabro was released after a short talk. However, after the incident the guard was enforced with riot policemen.

On 10 December representatives of Belarusian human rights organizations called the names of the award winners for contribution to the protection of human rights in 2012. The «journalist» category winner was a Hrodna journalist, correspondent for the Polish «Gazeta Wyborcza» Andrei Pachobut. The journalist who had to give a written undertaking not to leave Hrodna because of a criminal case under Article 367, part 2 of the Criminal Code, «Defamation of President of the Republic of Belarus», communicated with the human rights defenders through Skype. His prize was passed to him virtually, by an earlier prize holder, journalist of Radio «Liberty» Aleh Hruzdzilovich.

On 11 December the ideologists of the Bialynichy district passed the plan for subscription to magazines and newspapers to all organizations. The even specified which editions the citizens were to subscribe to first of all. The appropriate plan was given to the mailmen of Bialynichy district post office. It lists the state-owned editions and the number of copies to whom each mailman must subscribe somebody. According to the workers of the post office, the greatest number of copies is for «Sovetskaya Belorussiya» and the local newspaper «Zara nad Druttsiu».

On 22 December Salihorsk human rights defenders stated about twofold pressure on citizens in connection with the organized subscription to state-owned press. On one hand, the pressure is applied by the high-rank officials who order their subordinates to subscribe to magazines and newspapers of some ministry or enterprise. Thus, teachers of Salihorsk schools were forced to subscribe to «Nastaunitskaya Hazeta» newspaper and «Vesnik Adukatsyia» magazine. The administration of the open stock company «Belaruskali» forced workers to subscribe to its magazine «Kaliyshchyk Salihorska», «Bulding Trust #3» – to its newspaper «Stroitel Soligorska». The Salihorsk Department of Emergency States «distributed» the newspaper «Yunuy Spasatel», the ideologists of Salihorsk District Executive Committee organized the subscription to «Sovetskaya Belorussiya» and the district newspaper «Shatsyor». Subscription to these publications was conducted through a network of ideological workers at enterprises of Salihorsk and Salihorsk district.

As it became known on 24 December, the police were interested in the whereabouts of Alina Litvinchuk. This information was disseminated by the head of the Brest regional organization of the United Civil Party Uladzimir Vuyek, in whose apartment the journalist has lived lately. According to Mr. Vuyej, the police were coming to his home in his absence, asking the neighbors whether the Alina Litvinchuk was living there and where she worked. Moreover, some strangers tried to find where she was by phone. As Uladzimir Vuyek learned from the local police inspector, Litvinchuk was wanted by another policeman, Andrei Khomich, who was ordered to take her to the regional prosecutor's office where she was to be issued with an official warning about the inadmissibility of journalist activities for foreign media without accreditation.

On 24 December four Minsk journalists came to an announced meeting with a member of Smaliavichy District Soviet, Yahor Lebiadok. None of them managed to get to the local Culture Palace where the meeting was

held – all of them were detained by the police. A few minutes before the meeting, journalists Mikalai Petrushenka and Siarhei Vazniak, reporter Lola Buryieva, cameraman Viachaslau Piashko and the car driver were detained by lieutenant-colonel Andrei Martysiuk and two police inspectors. Though the journalists showed their passports on demand of the police officers, they were guarded to the district department, for «identification», and kept there for about two hours. Questioning reports were drawn on them. All information carriers were taken away, but then returned. After the 1.5 hour meeting with the electorate the member of Smaliavichy District Soviet Yahor Leibadok came to the DPD to find why the journalists had been detained. They were being released at the time of his visit. Mr. Lebiadok stated that he didn't object to the presence of journalists at his meetings.

On 28 December, Rahachou District Prosecutor's Office issued an official warning to the social activist Dzianis Dashkevich concerning the inadmissibility of violation of the legislation of the Republic of Belarus. The talk at the prosecutor's office, held by prosecutor Chuyeshava, lasted for two hours. Mr. Dashkevich was warned that he could be punished under Articles 369.1 («Discredit of the Republic of Belarus»), Article 188, part 2 («Libel») and Article 189, part 2 («Insult») of the Criminal Code in case some articles with incorrect information about the political and economical situation in Belarus were published at the vrogacheve.ru website. The real reason for the warning is that some critical remarks about the local officials were published at the website. Before the talk at the prosecutor's office, the local KGB department tried to intimidate the activist as well.

Restrictions on the freedom of assembly

As it became known on 2 December, the UN Human Rights Committee found that the Belarusian authorities had violated the rights of Homel public and political activist Uladzimir Katsora by sentencing him to administrative arrest for organizing peaceful assemblies in the city. During the last 6 years Mr. Katsora had to spend about 57 days in jail for such activities. In April 2006 he tried to organize a rally dedicated to the 20th anniversary of the accident on the Chernobyl nuclear power plant and distributed printed leaflets for that purpose. As a result, the judge of Chyhunachny District Court of Homel Vital Kozyrau sentenced him to ten days of administrative arrest. In February 2008 Mr. Katsora organized a meeting of Homel residents with the former presidential candidate Aliaksandr Milinkevich and was subsequently sentenced to 7 days of arrest by the head of Savetski District Court of Homel Aliaksandr Kosrykau. Having depleted all domestic

remedies, Uladzimir Katsora addressed the United Nations Human Rights Committee, which concluded that Belarus violated the rights of its citizens enshrined in Article 19 of the International Covenant on Civil and Political Rights by persecuting him for disseminating information about upcoming peaceful events. Based on the recommendations of the Committee, the Belarusian government must provide «victims of violations with an effective remedy, including a full cost recovery and adequate compensation «and «avoid similar violations in the future».

Not a single mass event dedicated to the Human Rights Day, 10 December, was authorized in Belarus. On 5 December, civil activist Viktar Syrytsa and human rights defender Siarhei Housha received a a letter from the deputy head of Baranavichy City Executive Committee, Dz. Kastsiukevich, prohibiting their picket on 10 December. The city officials didn't tell what legal requirements were violated by the picket organizers. On 7 December Viktar Syrytsa received another letter from Dz. Kastsiukevich, banning the same picket.

On 10 December, Vitsebsk human rights defenders intended to hold a picket in the Park of Culture and Rest of Railwaymen (the officially determined place for mass events). Predictably enough, they received a denial. The deputy head of Chyhunachny District Executive Committee Natallia Liapioshkina explained the ban with the failure of the applicants to conclude service agreements with the public utilities, medics and police.

On 10 December, Navapolatsk social activists Volha Hrytskevich, Uladzimir Ivankovich, Yauhen Parchynski, Natallia Valiayeva and Tatsiana Volkava wanted to hold a rally in front of the Culture Palace. However, they received a refusal. As it was found out, almost a year ago the city authorities secretly amended the list of the places they had allowed for mass events. In the prohibition, signed by the deputy head of Navapolatsk City Executive Committee Viachaslau Durnou it is stated that according to the ruling of the executive committee of 9 September 2012 "the ground in front of the Culture Palace" was excluded from the places allowed for picketing". The Navapolatsk activists emphasize that this amendment was done secretly, as a result of which only one place was left for opposition's events – the ground at the entrance of the city's culture and recreation park, where there are almost no visitors or passers-by in winter.

As it became known on 12 December, Navapolatsk City Executive Committee also banned a picket dated to the second anniversary of the events of

19 December 2010. The picket was organized by an activist of the organizing committee of the Belarusian Christian Democracy Siarhei Malashonak with the aim to express protest against the unlawful imprisonment of participants of the peaceful post-election protests of 19 December. In the denial, signed by the deputy head of the executive committee Viachaslau Durnou it is stated that the action could not be authorized as far as the stated place, the ground in front of the «Damalux» shop did not belong to the places which had been officially determined for mass events.

Representatives of the United Civil Party filed 91 applications across the country to hold pickets on 19 December under the slogan «They stole the elections to sell out the country». None of the pickets were authorized. The authorities banned the actions under various pretexts, but the restriction of the right to express alternative opinions by means of public actions is evident.

On 14 December Salihorsk District Executive Committee banned a 19 December picket referring to the ruling of the Salihorsk DEC of 7 October 2004 «On measures to prevent accidents and ensure the rule of law during public events». The applicants, UCP members Aliaksandr and Viktar Malochka, weren't allowed to hold the event «due to the incompatibility of the place of the action with the aforementioned ruling».

On 15 December the head of Baranavichy UCP branch Anzhalika Kambalava received a letter from Baranavichy District Executive Committee, signed by the deputy head, Dz. Kastrsiukevich, where it was stated that the committee did not agree to holding a picket on 19 December. The activist managed to conclude service agreements with the medics and public utilities, but failed to conclude an appropriate agreement with the police due to bureaucratic procrastinations, which became the formal reason for the ban.

On 16 December the head of Babruisk UCP branch Viktar Buzinayeu received an answer from Babruisk City Executive Committee, signed by its deputy head Aliaksandr Markachou. The activist was not allowed to hold a picket on 19 December at the stadium of the sports complex «Slavianka». The official reason was that the applicant did not specify the kind of mass event, its route and measures for ensuring the public order, medical aid and cleaning of the territory. The deputy head of the executive committee also wrote that the applicants violated Article 8 of the Law «On Mass Events» according to which they had no right to announce the place and

time of the action in mass media before receiving an official permission to hold it.

As it became known on 17 December, the city authorities banned nine pickets which applicants intended to hold on 19 December in different parts of the city. According to the head of Brest regional UCP organization Uladzimir Vuyek, the authorities drew various reasons for the bans: «For instance, they wrote that we had indicated the places which didn't belong to the list of the places officially determined for such events. However, we were also prohibited from holding pickets in the places which belonged to this list. In particular, it concerns the «Locomotive» stadium: the acting deputy head of Brest City Executive Committee Uladzimir Charnou stated that as far as the event would be held without the presence of the city authorities, the organizers were to conclude service agreements with the police, medics and public utilities. Moreover, according to his answer, the payment for these services must be done at least one day before the event.» The absence of such agreements became the formal reason to ban the pickets.

On 18 December all four Barysau applicants for the pickets «They stole the elections to sell out the country» received identical written prohibitions to hold the actions signed by the head of Barysau District Executive Committee Uladzimir Miranovich. «Barysau District Executive Committee prohibits you to hold the picket on 19 December 2012 due to your failure to implement the requirements of paragraph 3 of the ruling of Barysau District Executive Committee of 13 June 2010 #851 «About the order of holding mass events in the Barysau district». Paragraph 3 requires that applicants must supply their applications with service agreements with the police, medics and public utilities and pay for these services within ten days after the event. The peculiarity of the situation is that all these institutions blankly refuse to conclude service agreements with socio-political activists before the authorization of the appropriate events by the executive committee.

On 21 December Brest City Executive Committee banned an action in support of the quicker ratification of the agreement on local border traffic with Poland. As stated by one of the initiators of the pickets Ihar Maslouski, the events were scheduled on 21, 22 and 23 December and were to have been held near the central department store of Brest. The authorities refused to authorize the action as the ground in front of the department store didn't belong to the list of the places that had been officially determined as suitable for such events. Meanwhile, there is no sense in holding such events in the «allowed» places – the «Locomotive» stadium or near the stage in the Park

of Soldiers-Internationalists, as far as the both of them are unfrequented by people, especially in winter.

Restrictions on freedom of association

On 2 December some more facts of harassment of the independent trade union activists at the «Granite» enterprise in Mikashevichy became known. The administration of the enterprise told excavator driver Leanid Dubanosau to decide whether he would continue to pay dues to the union through the accountancy department of «Granite», and promised to find some reasons to terminate the labor contract with him provided he continued doing it. Leanid had been working at «Granite» for more than ten years and had no admonition from the administration before. On 17 December there also appeared information about the pressurization of the treasurer of the trade union organization Anatol Litvinka. The «Granite» officials demanded from him written explanations almost everyday. On the basis of these documents they made remarks which could serve as a formal reason for his dismissal from work. Before this, similar pressurization was used towards Anatol's wife, Liudmila, who also worked at «Granite» and was dismissed from it for relation to the independent trade union organization.

ANNEX 1.

United Nations
General Assembly

A/HRC/20/L.7

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28 June 2012
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Human Rights Council
Twentieth session
Agenda item 4

Human rights situations that require the Council's attention

Albania*, Austria, Belgium, Bulgaria*, Canada*, Croatia*, Cyprus*, Czech Republic, Denmark*, Estonia*, Finland*, France*, Germany*, Greece*, Hungary, Iceland*, Ireland*, Italy, Latvia*, Liechtenstein*, Lithuania*, Luxembourg*, Malta*, Monaco*, Montenegro*, Netherlands*, Norway, Poland, Portugal*, Romania, Slovakia*, Slovenia*, Spain, Sweden*, Switzerland, the former Yugoslav Republic of Macedonia*, United Kingdom of Great Britain and Northern Ireland*, United States of America: draft resolution

20/… Situation of human rights in Belarus

The Human Rights Council,

Guided by the purposes and principles of the Charter of the United Nations, the provisions of the Universal Declaration of Human Rights, the International Covenants on Human Rights and other applicable human rights instruments,

Recalling Human Rights Council resolution 17/24 of 17 June 2011, and deploring the lack of cooperation by the Government of Belarus with the requests of the Council made in that resolution, including the denial of access to the Office of the United Nations High Commissioner for Human Rights and several thematic special procedures mandate holders to the country,

Welcoming the oral and comprehensive written reports of the High Commissioner on the situation of human rights in Belarus, presented to the Council at its eighteenth and twentieth sessions respectively, and regretting

the lack of implementation by the Government of Belarus of the preliminary recommendations made in the oral report,

1. Expresses grave concern at the findings of the United Nations High Commissioner for Human Rights in her report1 that suggest the existence of a pattern of serious violations of human rights since 19 December 2010, that is of a systemic nature, and includes intensified restrictions on the fundamental freedoms of association, assembly, opinion and expression, including with regard to the media, as well as allegations of torture and ill-treatment in custody, impunity of perpetrators of human rights violations and abuses, harassment of civil society organizations and human rights defenders, violations of due process and fair trial safeguards, and pressure on defence lawyers;

2. Urges the Government of Belarus to immediately and unconditionally release and rehabilitate all political prisoners, to address, through comprehensive, transparent and credible investigations, reports of torture and ill-treatment, to implement all other recommendations contained in the report of the High Commissioner, and to put an immediate end to arbitrary detention of human rights defenders, the increased use of short-term arbitrary detention and arbitrary travel bans aimed at intimidating representatives of the political opposition and the media, as well as human rights defenders and civil society;

3. Decides to appoint a special rapporteur to monitor the situation of human rights in Belarus and to make recommendations for its improvement; to help to implement the recommendations contained in the report of the High Commissioner; to assist the Government of Belarus in fulfilling its human rights obligations; to offer support and advice to civil society; to seek, receive, examine and act on information from all relevant stakeholders pertaining to the situation of human rights in Belarus; and to report annually to the Human Rights Council and to the General Assembly in accordance with their respective programmes of work;

4. Calls upon the Government of Belarus to cooperate fully with the Special Rapporteur and to provide him/her access to visit the country, as well as the information necessary to facilitate the fulfilment of the mandate;

5. Requests the Office of the High Commissioner to provide the Special Rapporteur with the assistance and resources necessary to allow the fulfilment of the mandate.

ANNEX 2.

United Nations A/HRC/WGAD/2012/39

General Assembly

Distr.: General
23 November 2012
Original: English

Human Rights Council
Working Group on Arbitrary Detention

Opinions adopted by the Working Group on Arbitrary Detention at its sixty-fourth session, 27–31 August 2012

No. 39/2012 (Belarus)

Communication addressed to the Government on 20 April 2012
Concerning Aleksandr Viktorovich Bialatski
The Government replied to the communication on 22 May 2012.

The State is a party to the International Covenant on Civil and Political Rights.

1. The Working Group on Arbitrary Detention was established in resolution 1991/42 of the former Commission on Human Rights, which extended and clarified the Working Group's mandate in its resolution 1997/50. The Human Rights Council assumed that mandate in its decision 2006/102 and extended it for a three-year period in its resolution 15/18 of 30 September 2010. In accordance with its methods of work (A/HRC/16/47, annex and Corr.1), the Working Group transmitted the above-mentioned communication to the Government.

2. The Working Group regards deprivation of liberty as arbitrary in the following cases:

(a) When it is clearly impossible to invoke any legal basis justifying the deprivation of liberty (as when a person is kept in detention after the completion of his or her sentence or despite an amnesty law applicable to the detainee) (category I);

(b) When the deprivation of liberty results from the exercise of the rights or freedoms guaranteed by articles 7, 13, 14, 18, 19, 20 and 21 of the Universal Declaration of Human Rights and, insofar as States parties are concerned, by articles 12, 18, 19, 21, 22, 25, 26 and 27 of the International Covenant on Civil and Political Rights (category II);

(c) When the total or partial non-observance of the international norms relating to the right to a fair trial, established in the Universal Declaration of Human Rights and in the relevant international instruments accepted by the States concerned, is of such gravity as to give the deprivation of liberty an arbitrary character (category III);

(d) When asylum seekers, immigrants or refugees are subjected to prolonged administrative custody without the possibility of administrative or judicial review or remedy (category IV);

(e) When the deprivation of liberty constitutes a violation of international law for reasons of discrimination based on birth; national, ethnic or social origin; language; religion; economic condition; political or other opinion; gender; sexual orientation; or disability or other status, and which aims towards, or can result in, ignoring the equality of human rights (category V).

Submissions

Previous urgent appeal concerning Aleksandr Viktorovich Bialatski

3. The case was reported to the Working Group on Arbitrary Detention as follows. Aleksandr Viktorovich Bialatski, a citizen of Belarus, usually residing at Prospekt Nezavisimosti, Minsk, Belarus, is a human rights defender, founder and President of the Human Rights Centre Nasha Viasna ("Viasna") and a vice-president of the International Federation for Human Rights (FIDH).

4. On 15 August 2011, the Rapporteur of the Working Group on Arbitrary Detention together with other Special Procedures mandate holders sent an urgent appeal[1] to the Government of Belarus. The relevant content of the urgent appeal is reproduced below:

On 4 August 2011, at approximately 2:00 p.m., a group of individuals in plain clothes reportedly surrounded the offices of the HRC "Viasna" in Minsk. Staff members of HRC "Viasna" allegedly evacuated the office and locked the door.

While evacuating the office, one of them heard a plain clothed individual talking on his mobile phone, saying that Mr. Bialatski was not to be found at the

[1] See A/HRC/19/44, p. 57, case No. BLR 9/2011.

office. On the same day, at approximately 4:30 p.m., Mr. Bialatski was arrested in Minsk city centre by police representatives of the Department of Financial Investigations. A search was conducted at his home by police officers. Mr. Bialatski was subsequently taken to the "Viasna" office which was also searched by the police. On 5 August 2011, Mr. Bialatski was allegedly transferred from a cell at the Financial Investigation Department of the State Control Committee to the detention centre of the Ministry of Interior, where he remains to date.

Mr. Bialatski was allegedly being held in detention for having failed to declare the existence of a private foreign account registered in his name. As a result, a tax evasion case was allegedly opened against Mr. Bialatski for "concealment of profits on an especially large scale" under Article 243(2) of the Criminal Code of the Republic of Belarus, which provides for up to seven years of imprisonment and confiscation of property.

According to the information received, the purpose of the foreign account was to receive donations registered in the name of Mr. Bialatski, to finance the human rights activities of "Viasna". In June 2011, Mr. Bialatski was reportedly informed that an investigation on his private financial matters was being carried out by the authorities. In view of his alleged detention, serious concern is expressed for the physical and psychological integrity of Mr. Ales Bialatski. Further concern is expressed that his detention may be directly related to his work in defence of human rights, in particular with HRC "Viasna".

5. The Government replied on 31 October 2011, and the Working Group welcomes the cooperation. The content of the officially translated reply received from the Government of Belarus is reproduced below:

On 4 August 2011, criminal proceedings were instituted against Mr. Bialatski by an investigator from the State Control Committee Financial Investigation Department's pretrial investigation team for an offence under article 243, paragraph 2, of the Criminal Code (evasion of duties and taxes by concealment and deliberate understatement of the tax base, or by refusal to submit a tax declaration (calculation) or knowingly introducing into it false information, leading to losses on an especially large scale).

This crime, covered by article 243, paragraph 2, of the Criminal Code, is categorized as a serious offence, for which penalties include restriction of liberty for a period of up to five years or deprivation of liberty for a period of three to seven years, with or without confiscation of property and with or without forfeiture of the right to hold certain posts or engage in certain activities.

The case was brought on the grounds of material gathered during preliminary inquiries.

According to information from the Ministry of Justice of Lithuania received by the State Control Committee Financial Investigation Department from the

Ministry of Justice of Belarus on 4 April 2011, a total amount of no less than 295,733 euros entered Mr. Bialatski's account with AB DnB NORD Bankas bank during the period 2009–2011.

According to information from the Ministry of Justice of Poland received by the State Control Committee Financial Investigation Department from the Ministry of Justice of Belarus, a total amount of no less than 335,787 euros entered Mr. Bialatski's account with Bank Śląski during the period 2007–2011.

In violation of current legislation, Mr. Bialatski did not declare these amounts to the tax authorities and did not pay income tax on the income received.

Under article 153, paragraph 1.1, of the Tax Code, income received from sources in Belarus and/or abroad by physical persons recognized under article 17 of the Tax Code as resident in Belarus for tax purposes is subject to personal income tax.

Under article 17 of the Tax Code, physical persons who are present in Belarus for more than 183 days in a calendar year are considered to be resident in the country for tax purposes, which was Mr. Bialatski's case.

On 23 September 2011, after a tax audit, a final charge was filed against Mr. Bialatski under article 243, paragraph 2, of the Criminal Code for evasion of taxes on an especially large scale, to a total amount of 352,274,360 Belorusian roubles (more than 10,064 base amounts).

The investigation found no confirmation of reports that the above-mentioned sums in the Lithuanian and Polish banks were intended to fund the "Viasna" human rights centre and other organizations.

Mr. Bialatski was detained at 4.58 p.m. on 4 August 2011, by members of the State Control Committee Financial Investigation Department at 36, Nezalezhnasci Avenue, Minsk, on suspicion of the above-mentioned offence. In accordance with article 41 of the Code of Criminal Procedure, Mr. Bialatski was informed at the time of his detention of his rights and obligations, including his right to defence.

As crimes under article 243, paragraph 2, of the Criminal Code are categorized as serious offences, for which penalties include deprivation of liberty for a period of more than two years, Mr. Bialatski was remanded in custody as a preventive measure under article 126, paragraph 1, of the Code of Criminal Procedure.

Mr. Bialatski was placed in the temporary holding facility of the Minsk Municipal Executive Committee Central Internal Affairs Department.

Mr. Bialatski did not plead guilty to the charge brought against him and refused to give testimony. During questioning as a suspect during the initial stage of the investigation, he confirmed that he had opened foreign bank accounts in his own name and that he managed and operated them personally.

On studying the case file, the Minsk procuratorial authorities found that the preliminary investigation had been carried out thoroughly, objectively and comprehensively, the acts of the accused had been correctly classified, the accusation was substantiated and based on evidence found during the investigation, all possible investigative action had been taken, the preventive measures adopted were correct, and that there had been no violation of criminal procedural legislation, including in respect of Mr. Bialatski's detention and the gathering of evidence.

On 5 August 2011, Mr. Bialatski was placed in remand centre No. 1 of the Ministry of Internal Affairs Penal Enforcement Department, where he is still being held.

Mr. Bialatski made no complaints about his health and had no bodily injuries when he entered the remand centre and was examined by a doctor. Mr. Bialatski has not requested medical assistance during his detention in remand centre No. 1.

Mr. Bialatski is being held in a cell designed for six persons. As of 10 October 2011, four persons were being held in the cell. The conditions meet the requirements of the Detention Procedure and Conditions Act of 16 June 2003.

On 4 October 2011, the Minsk Procurator's Office referred the case to the Pervomai district court in Minsk.

No change was made to Mr. Bialatski's preventive remand in custody.

No complaints or applications were received during the pretrial investigation either from Mr. Bialatski personally or on his behalf.

Mr. Bialatski is making use of his right to defence under article 17, paragraph 1, of the Code of Criminal Procedure, with the assistance of a professional lawyer as defence counsel.

During the pretrial investigation, the counsel submitted three complaints (on the unlawful bringing of charges, on the need to halt the criminal proceedings, and on release from custody); after consideration, the complaints were rejected as unfounded.

Since Mr. Bialatski's arrest and detention were based on provisions of Belarusian criminal and criminal procedural law, they cannot be considered to be arbitrary in the sense of article 9 of the Universal Declaration of Human Rights or article 9 of the International Covenant on Civil and Political Rights. Those articles and other norms related to criminal investigation and detention in those instruments were observed during the pretrial investigation in respect of Mr. Bialatski.

Information from the competent authorities concerning Mr. Bialatski's situation convincingly confirms that his detention and remand in custody are not related to his work as a human rights defender, including in the context of the activities of the "Viasna" human rights centre.

6. In accordance with paragraph 23 of its methods of work, "[a]fter having transmitted an urgent appeal to the Government, the Working Group may transmit the case through its regular procedure in order to render an Opinion on whether the deprivation of liberty was arbitrary or not. Such appeals – which are of a purely humanitarian nature – in no way prejudge any Opinion the Working Group may render. The Government is required to respond separately for the urgent appeal procedure and the regular procedure." In its submission, the source has expressly requested the Working Group to transmit a case of Mr. Bialatski, following its regular procedure.

Communication from the source

7. The source submitted the following information on further developments in the case. On 28 October 2011, following the closure of the investigation, the Pervomaiski District Court decided to prolong Mr. Bialatski's detention.

8. On 24 November 2011, Mr. Bialatski was sentenced to four and a half years' imprisonment with confiscation of property by the Pervomaiski District Court of the City of Minsk. The Court found Mr. Bialatski guilty of non-payment of taxes by not filing tax returns and of filing tax returns with false information, thus causing damages in a particularly high amount pursuant to article 243, paragraph 2 of the Criminal Code of Belarus. The Court ordered his sentence to be served in a high security correctional facility. Mr. Bialatski was also levied a fine of 721,454,017 Belorusian roubles (approximately US$90,000) and restitution to the federal budget in the amount of 36,072,700 Belarusian roubles (approximately US$4,500).

9. On 2 December 2011, Mr. Bialatski was transferred to Prison No. 8, Zhodina. On 24 January 2012, the Minsk City Court upheld Mr. Bialatski's sentence. On 17 February 2012, Mr. Bialatski was transferred to Babruisk penal colony No. 2 where he remains.

10. The source states that during the judicial proceedings, Mr. Bialatski was represented by defence lawyers who argued and presented evidence showing that the charges were unsubstantiated and pointed out to procedural irregularities, including the illegal reception of evidence by the prosecution, uncertified documents and instigation of the case by the KGB.

11. The source submits that the money transfers, which were considered by the Belarusian tax authorities, had a legitimate purpose of funding ordinary

human rights activities of "Viasna" and was never used as the personal funds of Mr. Bialatski.

12. It is reported that a number of independent human rights organizations, including "Viasna", have been closed by the authorities and confronted with systematic refusal of registration since 2003. In its Communication No. 1296/2004, Belyatsky et al. v. Belarus, the Human Rights Committee concluded that the dissolution of "Viasna" constituted a violation of article 22, paragraph 1 of the International Covenant on Civil and Political Rights and that the co-authors of the complaint were "entitled to an appropriate remedy, including the re-registration of "Viasna"" (para. 9). According to the source, the authorities of Belarus refuse to implement this decision and have denied re-registration to "Viasna".

13. Notwithstanding the position of the authorities, Mr. Bialatski and members of "Viasna" have tried to continue their activities in promoting respect for international human rights and freedoms, providing legal and material assistance to victims of human rights violations. In order to maintain such activities, members of "Viasna" decided that the funds dedicated to "Viasna"'s human rights activities had to be transferred to a bank account regularly opened and declared under the Lithuanian domestic law.

14. The source stresses that Mr. Bialatski and "Viasna"'s independent activities in the promotion and protection of human rights in Belarus have been recognized both domestically and internationally. "Viasna" and Mr. Bialatski have been awarded several prizes, including the Czech Homo Homini Award in 2005, the Norwegian Helsinki Committee Andrei Sakharov Freedom Award and the Swedish Government Per Anger Prize in 2006, the Atlantic Council Freedom Award, the Freedom Award of the Danish daily newspaper Politiken and the Polish Foreign Ministry Pro Dignitate Humana Award in 2011. Over the past decade, Mr. Bialatski has travelled across Eastern Europe, observing trials, investigating human rights abuses, supporting prisoners' families and observing elections.

15. Mr. Bialatski's arrest was preceded by his statements at the Council of Europe in April 2011, about the deteriorating situation of human rights activities in Belarus; his participation at the FIDH International Board meeting held in Paris in June 2011; and his speech on the occasion of a hearing on the situation in Belarus before the European Parliament, in which he called for sanctions against those responsible of human rights violations in the country.

16. In light of the foregoing, the source submits that the sentencing and continued detention of Mr. Bialatski are a direct result of his peaceful exercise

of the rights and freedoms guaranteed under international human rights law, in particular those enshrined in articles 19 and 22 of the International Covenanat on Civil and Political Rights. According to the source, Mr. Bialatski's detention is solely aimed at sanctioning and preventing his activities as a human rights defender.

17. The source further states that following sentencing by the first instance court on 24 November 2011, Belarusian NGOs launched a campaign to collect money in order to cover material damages allegedly done to the State and court budgets, amounting to a total of 757,526,717 Belarusian roubles (approximately US$95,000), equivalent to the fine levied against Mr. Bialatski. Days before his appeal in January 2012, the entire amount of the fine was paid.

18. In its response to an urgent appeal, the Government mentioned that "[t]he investigation found no confirmation of reports that the ... sums [on the basis of which Mr. Bialatski was prosecuted] in the Lithuanian and Polish banks were intended to fund the "Viasna" human rights centre and other organizations." In the same response, the Government submits that "[i]nformation from the competent authorities concerning Mr. Bialatski's situation convincingly confirms that his detention and remand in custody are not related to his work as a human rights defender, including in the context of the activities of the "Viasna" human rights centre."

Response from the Government

19. On 20 April 2012, the Working Group requested the Government of Belarus to respond to the aforementioned allegations. On 22 May 2012, the Government of Belarus provided its reply. The Government stated that, in a spirit of constructive collaboration, in October 2011, it had provided the Working Group with exhaustive arguments showing the unfounded nature of the allegation that Mr. Bialatski's arrest and detention could be of an arbitrary nature. Specifically, the Government stated that its response showed that Mr. Bialatski's arrest and detention were based on specific provisions of the Criminal Code and Code of Criminal Procedure of Belarus and hence could not be considered arbitrary under article 9 of the Universal Declaration of Human Rights nor article 9 of the International Covenant on Civil and Political Rights. The provisions of these articles, as of other norms in these documents related to criminal prosecution and detention in custody, were respected during the preliminary investigation regarding Mr. Bialatski.

20. The Government maintains that Mr. Bialatski was informed of his rights and responsibilities, including his right to defence, immediately upon his ar-

rest. He used the services of a lawyer, who represented his interests during the court hearing of the criminal case, and he had adequate time and possibilities to prepare his defence.

21. In November 2011, the Pervomaiski district court in Minsk sentenced Mr. Bialatski to four years and six months' deprivation of liberty to be served in a strict regime colony, with confiscation of property.

22. According to the Government's response, the court sentence is related exclusively to his violations of the tax legislation. Mr. Bialatski did not declare substantial financial resources that he had received from sources outside of Belarus, which is a serious violation of current the tax legislation (more detailed information may be found in the Government's response of 31 October 2011 to the previous urgent appeal).

23. Specifically, under article 153, paragraph 1.1., of the Tax Code, income received from sources in Belarus and/or abroad by physical persons recognized under article 17 of the Code as being resident in Belarus for tax purposes is subject to personal income tax.

Under article 17 of the Tax Code, physical persons who are present in Belarus for more than 183 days in a calendar year are considered to be resident in the country for tax purposes, which was Mr. Bialatski's case.

24. The Government notes that tax evasion is punishable by law, as it is a criminal offence in all European countries. Some countries of the European Union provide more serious penalties than Belarus for violations of the tax legislation. Everybody, without exception, is prosecuted in the case of tax evasion, regardless of their political or social status. The legislation of European countries does not contain any guarantee of tax immunity for persons involved in human rights activities.

25. The Government conveys that there is no legal basis for the Working Group's continued consideration of Mr. Bialatski's case. The Government submits that Mr. Bialatski's detention and the subsequent court decision were based on clear legislative provisions that are in conformity with the applicable international legal instruments.

26. The Government further states that the information provided to the Working Group by the source perversely interprets the situation in respect of the Bialatski case and tries to give it a political hue. According to the Government, the source has not presented a single convincing fact in support of the argument concerning a possible violation of the provisions of international legal instruments.

27. The Government emphasizes that the source of the information should be aware that, although the Working Group on Arbitrary Detention has a special thematic mandate, it cannot replace the domestic judicial system and revise decisions adopted by the judicial bodies of a Member State of the United Nations.

Further comments from the source

28. By letter dated 23 August 2012, the source provided further comments. According to the source, the Government of Belarus vaguely refers to article 9 of the Universal Declaration of Human Rights and article 9 the International Covenant on Civil and Political Rights, and fails to demonstrate (1) the degree of compliance, by the authorities, with all the provisions of article 9 of the Covenant, including in the light of the jurisprudence of the Human Rights Committee and other international bodies and mechanisms; and (2) the reasons why it considers that the detention of Mr. Bialatski does not fall within the scope of the mandate of the Working Group on Arbitrary Detention.

29. The source refers to the following guarantees under article 9 of the Covenant: the provisions of the domestic legislation that, in its turn, must comply with the principles of international instruments, must be observed during the detention; the custody must not only be lawful, but also reasonable and necessary in all respects (for instance, to prevent escape, manipulation of evidence or repetition of earlier crimes); the custody cannot be assessed in abstract but must be analysed in the light of the concrete circumstances of each case, and all factual information about the accused; the suspicion that a person committed a criminal offence is not in itself sufficient ground for holding the detainee in custody during the investigation and the run up to the trial; the custody must not be considered as a standard measure to be applied to all individuals suspected of committing a criminal offence. This measure should be used only as a last resort, only when less strict measures cannot ensure the proper behaviour of the accused. The source submits that the custodial placement of Mr. Bialatski during the preliminary investigation was in violation of the aforementioned standards.

30. The source submits that any decision taken by the investigative organ and by the court about the extension of the period of custody, must contain motivations for resorting to custodial placement, for instance on grounds of necessity, reasonableness and commensurability. This was not done in the present case and amounts to a violation of the provisions of article 126, paragraph 2,, of the Criminal Procedure Code of Belarus and article 9, paragraph 1, of the Interna-

tional Covenant on Civil and Political Rights. Moreover, the decisions of the courts on the question of the legality of the custodial placement are based on article 126, paragraph 1 of the Criminal Procedure Code of Belarus, according to which “the measure of restraint in the form of custodial placement can be applied to persons who are suspected of committing hard or especially hard crimes solely on the basis of the graveness of the offence”. However, in the present case, neither the decision of the investigator, nor any court decision concerning the custodial placement of Mr. Bialatski contain any reasoning for the use of such a restrictive measure towards Mr. Bialatski. In addition, the source submits that not a single piece of concrete evidence was provided to demonstrate the likelihood of the danger that the accused could evade justice, destroy evidence or violate the law. Therefore, the legal norm that allows custodial placement solely on the basis of the graveness of the offence fails to meet the international standards, since this approach is not based on the individual assessment of the possibility of an unlawful behaviour of the accused during the investigation of the case and its consideration by the court. In the light of the foregoing, the source submits that the custodial placement of Mr. Bialatski violated article 9, paragraph 1 of the International Covenant on Civil and Political Rights.

31. The source further invokes the breach of article 9, paragraph 3, of the Covenant. It notes that according to the provisions of the Criminal Procedural Code of the Republic of Belarus, the custodial placement is conducted on the basis of decision of the investigator, sanctioned by the prosecutor or other organs of criminal prosecution (article 126, paragraph 4, of the Criminal Procedure Code). When considering cases related to Belarus, the Human Rights Committee has twice stated that the State prosecutor is not a person who possesses the necessary institutional independence and impartiality to be considered as an “other officer authorized by law to exercise judicial power” as stated in article 9, paragraph 3, of the Covenant, since due administration of the judicial power can only be conducted by an organ that is independent, objective, impartial and unbiased with the regard to the questions being considered. Consequently, the source submits that the placement of Mr. Bialatski in custody by the deputy prosecutor of the city of Minsk on 5 August 2011 constitutes a breach of article 9, paragraph 3 of the International Covenant on Civil and Political Rights.

32. Furthermore, the source contends that when considering the appeals against the custodial placement of Mr. Bialatski, the Pervomaiski District Minsk Court and the Court of the City of Minsk did not observe the requirements of article 9, paragraph 4, of the Covenant. According to the source, the decisions of the courts do not contain references to the consideration of any evidence providing sufficient grounds to hold Mr. Bialatski in custody (such as criteria of

necessity, reasonableness and expediency of the use of this measure towards the relevant individual in the relevant circumstances). Moreover, the court assessment was conducted in the absence of Mr. Bialatski, who was thus deprived of the opportunity to defend himself.

33. In parallel, the source submits that, in its response, the Government failed to demonstrate the reasons for which it considers that the detention of Mr. Bialatski does not fall within the scope of the mandate of the Working Group on Arbitrary Detention. The Government merely refers to article 153, paragraph 1.1, of the Tax Code, which states that "income received from sources in Belarus and/or abroad by physical persons recognized under article 17 of the Code for tax purposes is subject to personal income tax". The source stresses that Mr. Bialatski was placed in custody under charges of tax evasion (see article 243, paragraph 2, of the Criminal Code) after the Belarusian tax authorities wrongly considered that money in accounts located in Lithuania and Poland to be Mr. Bialatski's personal income, and accused him of concealing it. This money, which was transferred by major international organizations for the purpose of funding ordinary human rights activities, was never used by Mr. Bialatski as personal funds, but rather to finance the legitimate activities of the Human Rights Centre "Viasna".

34. According to the source, Mr. Bialatski has always maintained his innocence with regard to the accusations brought against him. During the preliminary investigation and throughout the court proceedings, he repeatedly stated that the money, which a number of foreign funds and organizations had transferred in accounts opened in his name in Poland and Lithuania were used exclusively to finance the human rights activities of the Human Rights Centre "Viasna". The right to freedom of association, guaranteed under article 22 of the Covenant, covers not only the creation of associations, but also all their subsequent activities. There is no effective way to conduct those activities without access to funds.

35. The right of human rights workers and organizations to solicit, receive and utilize resources specifically to foster and protect human rights and fundamental freedoms by peaceful means is enshrined in article 13 of the Declaration on human rights defenders[2].

[2] Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms, adopted by the General Assembly in its resolution 53/144 of 9 December 1998.

The Declaration provides special protection to human rights defenders, including the right to solicit, receive and utilize resources for the purpose of protecting human rights (including the receipt of funds from overseas).

36. The source recalls that the authorities cancelled the official registration of the Human Rights Center "Viasna" in 2003, then again in 2007, before eventually denying it official re-registration in 2009. The denial of registration prevented the organization from opening a bank account in Belarus to receive funds and to pay (or be exempted from) taxes on the funds received. Moreover, the Criminal Code of Belarus strictly restricts the right of organizations to receive charitable contributions from overseas that can be used only for explicitly limited purposes, which exclude human rights-related activities.

37. The Government has thus cut off all possibilities for the organization to finance its human rights activities. This legislation is contrary to article 13 of the Declaration on human rights defenders and violates article 22 of the International Covenant on Civil and Political Rights. Therefore, the funds dedicated to the human rights activities of the Human Rights Centre "Viasna" were channelled through Lithuanian and Polish bank accounts, only because the organization had systematically been denied registration in Belarus, in violation of article 22 of the Covenant and because article 193, paragraph 1, of the Criminal Code of Belarus criminalizes its activities "as being part of an unregistered organization".

38. Consequently, the source reiterates that the sentencing and detention of Mr. Bialatski are arbitrary as they result from the exercise of his universally recognised human rights that are criminalized by the legislation of Belarus.

Discussion

39. Mr. Bialatski was sentenced to four and a half years' imprisonment with confiscation of property in 2011, and this judgment was upheld on appeal earlier this year (2012). Central to the case, as stated by the source, are Mr. Bialatski's claims that the funds received in a bank account abroad were part of the fundraising for the non-governmental organization, "Viasna", that the Government had deregistered and taken steps to dissolve.

40. In its Communication No. 1296/2004, Belyatsky et al. v. Belarus, the Human Rights Committee held that the dissolution of "Viasna" was in violation of the freedom of association, as guaranteed by article 22 of the International Covenant on Civil and Political Rights.

41. The Special Rapporteur on the situation of human rights defenders dealt with the case in her report of 24 February 2010, and set out the background as follows:

Concern was expressed that the continuous and sustained refusal to register the human rights organization "Viasna" might be related to its activities in the promotion and defence of human rights, in particular its campaign for the abolition of the death penalty in Belarus. Further concern was expressed that this verdict, and repeated refusal to register the organization, is in violation of international standards, in particular article 22 of the International Covenant on Civil and Political Rights, to which Belarus is a party, and runs counter to the decision of the Human Rights Committee and the resolution of the Parliamentary Assembly of the Council of Europe.[3]

42. In the report of the United Nations High Commissioner for Human Rights on the situation of human rights in Belarus, the following is set out:

> The Human Rights Centre "Viasna" has also been repeatedly targeted by the authorities. Since cancelling its registration in 2003, the Belarusian authorities threatened "Viasna" Chairman Ales Bialatski (also the Vice-President of the International Federation for Human Rights and a member of the Belarusian Association of Journalists) with criminal prosecution for "unauthorized NGO activity" (Criminal Code, art. 193.1). The latest warning was issued in April 2011. On 20 December 2010, KGB officers reportedly raided the "Viasna" offices, seized computers and documentation, and detained 10 staff members, who were released later the same day. On 4 August 2011, Mr Bialatski was again arrested, placed in a pretrial detention centre of the Ministry of the Interior and charged with tax evasion.
>
> On 24 November, he was sentenced by the Pervomaiski District Court in Minsk to four and a half years of maximum security imprisonment and his property confiscated. Mr Bialatski was convicted for "concealment of incomes on an especially large scale" (Criminal Code, art. 243.2). The court ruled that Mr Bialatski had intentionally avoided paying taxes from the money he allegedly kept in bank accounts abroad; the court disregarded the fact that the money was not Mr Bialatski's personal income. He appealed against the verdict, which was, however, confirmed on 24 December 2011 by the Minsk City Court. In February 2012, Mr. Bialatski was taken to Babruysk correctional colony No. 2. Another "Viasna" member, Valiantsin Stefanovich, was also found guilty of tax evasion and, on 16 December 2011, the court in Minsk sentenced him to a fine for having concealed income.[4]

[3] See A/HRC/13/22/Add.1, para. 140.
[4] See A/HRC/20/8, para. 62.

43. In her report on the situation of human rights in Belarus, the United Nations High Commissioner for Human Rights made the following recommendation:

Put an immediate end to all forms of pressure on and harassment of civil society organizations, as well as individual human rights defenders; and release immediately and unconditionally Ales Bialatski, and withdraw charges brought against him and other human rights defenders.[5]

44. The Working Group has reviewed the submissions made to it and, in particular, the Government's information about the first instance and appeal judgements against Mr. Bialatski in 2011 and 2012, respectively. It has also considered the source's information and Mr. Bialatski's claims that the funds received in the bank account abroad were part of the fundraising for the non-governmental organization "Viasna".

45. The Working Group notes that there is no immunity for human rights defenders against criminal charges of the kind in this case. However, government action has to respect the exercise of human rights, and Governments have specific duties to protect human rights defenders against different forms of harassment that they may encounter in their activities.

When there are claims of human rights violations in this context, including a pattern of harassment, domestic authorities and international supervisory bodies should apply the heightened standard of review of government action. Domestic authorities have a duty to investigate, and the inquiry must be independent, both institutionally and in practice, and prompt.

46. There is no support for such a review being undertaken by the domestic authorities in the present case. This is despite the fact that there is a close link between continuous harassment against the work of Mr. Bialatski and his colleagues at "Viasna" and the organization was impaired by the authorities from undertaking its activities. This is particularly striking in the light of the strong criticism expressed by international bodies as referred to above, as well as the finding of the Human Rights Committee of violation of article 20 of the Universal Declaration on Human Rights and article 22 of the International Covenant on Civil and Political Rights in respect of the dissolution of "Viasna".

47. The judgements rendered against Mr. Bialatski do not address his claims that the funds received in the bank account abroad were part of the fundraising

[5] Ibid., para. 75 (e).

for the activities of "Viasna", nor does the Government's submission assist the Working Group in this respect.

The Working Group emphasizes that criminal liability cannot be based on prior government action to deregister and dissolve the non-governmental organization "Viasna", in violation of article 20, paragraph 1, of the Universal Declaration on Human Rights and article 22 of the International Covenant on Civil and Political Rights. Such government action will not have effect in public or private law, and will not provide the basis for subsequent criminal proceedings.

48. Moreover, the Working Group notes that the criminal law provisions in Belarus applied to Mr. Bialatski's case do not list human rights-related activities among the purposes that allow tax exemption. In this respect, the Working Group emphasizes that under article 22 of the Covenant, States parties are not only under a negative obligation not to interfere with the founding of associations or their activities but also under a positive obligation to ensure and provide the legal framework for the incorporation of juridical persons. In the Working Group's view, measures such as facilitating the tasks of associations by public funding or allowing tax exemptions for funding received from outside the country, fall within the scope of the positive obligation under article 22 of the Covenant. Finally, States are required to protect the establishment or activities of associations from interference by private parties.

49. The Working Group further recalls that in accordance with article 22, paragraph 2, of the International Covenant on Civil and Political Rights, any restriction on the right to freedom of association must cumulatively meet the following conditions: (a) it must be provided for by law; (b) it may only be imposed for one of the purposes set out in paragraph 2; and (c) it must be "necessary in a democratic society" for achieving one of these purposes. The Government has not established any of these conditions to justify its action of de-registering "Viasna", harassing its members and impairing its activities.

50. Under these circumstances, the Working Group finds that the fundraising undertaken by Mr. Bialatski for the purposes of allowing the very existence of "Viasna", and continuation of its activities, is in conformity with the rights contained in article 20, paragraph 1, of the Universal Declaration on Human Rights and article 22 of the International Covenant on Civil and Political Rights. The Working Group notes with concern that the criminal provisions as applied to Mr. Bialatski's case do not take account of the aforementioned standards. The Working Group concludes that the sentencing and ongoing detention of Mr. Bialatski are in breach of article 20, paragraph 1, of the Universal Declara-

tion on Human Rights and article 22 of the International Covenant on Civil and Political Rights.

Disposition

51. In the light of the foregoing, the Working Group on Arbitrary Detention renders the following opinion:

The deprivation of liberty of Aleksandr Viktorovich Bialatski, being in contravention of article 20, paragraph 1, of the Universal Declaration on Human Rights and article 22 of the International Covenant on Civil and Political Rights. Is arbitrary and falls within category II of the arbitrary detention categories referred to by the Working Group when considering the cases submitted to it.

52. Consequent upon the opinion rendered, the Working Group requests the Government to take the necessary steps to remedy Mr. Bialatski's situation and bring it into conformity with the standards and principles set forth in the Universal Declaration on Human Rights and the International Covenant on Civil and Political Right.

53. The Working Group emphasizes that the adequate remedy is to release Mr. Bialatski and accord him an enforceable right to compensation pursuant to article 9, paragraph 5, of the International Covenant on Civil and Political Right.

[Adopted on 31 August 2012]

ANNEX 3.

FINAL DOCUMENT
OF THE BELARUSIAN HUMAN RIGHTS DEFENDERS' WORKING MEETING
in connection with the suggestion of the National Center of Legislation and Legal Research of the Republic of Belarus under the Administration of the President of the Republic of Belarus to express opinions on the issue of the National Human Rights Institution

Minsk *October 16, 2012*

We have learned about the invitation of the National Center of Legislation and Legal Research (hereinafter – NCLLR) for stakeholders to express opinions on the issue of the National Human Rights Institution (hereinafter – NHRI) from the non-official information that appeared on one of the news websites. The invitation was not sent to the Belarusian human rights defenders who participated directly in the submission of the alternative report for the Universal Periodic Review (hereinafter – UPR) in 2010 and who are monitoring the implementation of the UPR recommendations accepted by Belarus.

Nevertheless, we consider it necessary to express our position on this issue.

Position of the Working meeting's participants

The suggested by the NCLLR format of the discussion of the NHRI issue does not correspond to the requirements of NGOs' participation in the process of UPR recommendations' implementation that is set by the procedure of the review.

We insist that a transparent, open and public process of the discussion of the NHRI issue is provided. This mechanism should guarantee the involvement of all stakeholders, including Viasna, Platforma and a number of other human rights organisations.

We also call upon the NCLLR to define specifically the object of the dialogue, in particular – to put forward a conception or project of the law.

As basic pre-conditions of the dialogue between the authorities and human rights organisations we demand:

- to release all prisoners convicted on political grounds, including the human rights defender Ales Bialiatski;
- to stop all forms of pressure on human rights defenders as, for instance, the court decision of October 9, 2012 on the liquidation of the human rights institution "Platforma" and the non-implementation of the UN Human Rights Committee's recommendation to restore the registration of the Human Rights Center "Viasna".

Resume on the reasonability of NHRI's creation

The UPR recommendations on the NHRI issue are, in many ways, the result of human rights organisations' systemic work that has lasted for years. This work included the submission of the alternative report within the UPR procedure.
Being consistent, we believe that it is necessary to create the National Human Rights Institution in the framework of the implementation of UPR recommendations.
While creating the institution we believe it is necessary to follow the Principles relating to the Status of National Institutions (The Paris Principles) adopted by General Assembly resolution

48/134 of 20 December 1993, CIS Model Law on the ombudsman status and the Conception of the judicial and legal reform adopted in 1992.

We would like to inform you that the issue is under close attention of stakeholders, including those human rights organisations that submitted the alternative UPR report in 2010 and that are monitoring the implementation of UPR recommendations.

This document is open to public.

Legal Transformation Center	**Alena Tankachova**
	Volha Smalianka
Human Rights Center "Viasna"	**Valiantsin Stefanovich**
Belarusian Human Rights House	**Tatsiana Reviaka**
Human Rights Center "Legal assistance to the population"	**Ihar Rynkevich**
Platforma	**Andre Bandarenka**
Office for the Rights of People with Disabilities	**Enira Bronitskaia**
Human Rights defender	**Raisa Mihailovskaia**
Committee "Solidarity"	**Inna Kulei**

ANNEX 4.

Administration of President of the Republic of Belarus

National Center for Legislation and Legal Research
of the Republic of Belarus

Bersan Street 1a, 220050, Minsk
Telephone No. (017) 200 12 25
Fax No. (017) 222 40 96
E-mail: center@pmrb.gov.by

Answer No. 06-10/1771, 9 November 2012
to appeal No. 01-09/66 of 1 November 2012

To: educational institution “Center for Legal Transformation”
Navavilenskaya Street, 38-10
220053, Minsk

About the National Human Rights Institution

The National Center for Legislation and Legal Research of the Republic Belarus (further referred to as NCLLR) has considered the appeal of the Center for Legal Transformation (further referred to as the Center) within the framework of its competence and expresses its gratitude for the presented proposals concerning the necessity to create a national institution for the promotion and protection of human rights (further referred to as NHRI).

The following recommendations, given by state parties to the United Nations Organization within the framework of the Universal Periodical Review were approved:

- the recommendation to examine the possibility to create a national institution for human rights advocacy, accredited by the International coordinative committee of national institutions for the promotion and protection of human rights (Alger);

- the recommendation to consider the question (Egypt) and the examine the possibility (Malaysia) to establish a national human rights institution in conformity with the Parisian principles.

In this respect, the NCLL examines the possibility of creating a NIHR. NCLL does not have an appropriate draft law of the Republic of Belarus about NCLL or a concept of such draft law at its disposal.

Thereto we point that the questions of the release of prisoners and convicted persons, as well as the abolishment of court rulings about the liquidation of legal bodies are beyond the competence of the NCLLR. To appeal such verdicts, the interested parties can apply to competent state organs of the Republic of Belarus in the order, established by the process-executive legislation on administrative offenses, criminal process and economical process legislation.

Director: V.D. Ipatau

STATEMENTS, APPEALS, PETITIONS

Statement by the Human Rights Center “Viasna” demanding the immediate release of Siarhei Kavalenka

Minsk, 11 January 2012

On 19 December 2011 in Vitsebsk, in connection with criminal proceedings under Art. 415 of the Criminal Code (evasion of serving punishment of restraint of liberty) the activist of CCP BPF Siarhei Kavalenka was arrested and imprisoned. At this point it he is kept in solitary confinement in Vitsebsk, hungering for the 23rd day. His life and health are in serious danger.

Bear in mind that on 14 May 2010 the Kastrychnitski District Court of Vitsebsk sentenced Siarhei Kavalenka to three years of personal restraint without sending him to an open penitentiary institution. Criminal prosecution of the activist started after 7 January 2010, when he hanged out a white-red-white flag having managed to climb up the 40-meter metal construction, symbolizing the New Year Tree in the center of Vitsebsk, before the eyes of many people. He was charged under Part 1 of Article 339 of the Criminal Code (intentional actions grossly violating public order) and part 2 of Article 363 (resistance to law enforcement officials in the performance of official duties).

The Human Rights Center “Viasna” considers the public demonstration and hanging out a white-red-white flag by Kavalenka can by no means be classified as “hooliganism” because there is no exceptional cynicism and sheer contempt for society in it, and the activist didn’t pursue such a goal..

Kavalenka’s deed is a socio-political action which wasn’t aimed at harming public order or the contempt of society.

The Human Rights Center “Viasna” considers the repeated criminal prosecution of Siarhei Kavalenka for “evasion from serving the penalty in the form of personal restraint” as a continuation of political repression against him and an attempt to further isolate the activist of the opposition party.

The Human Rights Center "Viasna" calls upon the Belarusian authorities to immediately release Siarhei Kavalenka, to drop the criminal case and provide him with the necessary and urgent medical care.

The Human Rights Center "Viasna" reminds the administration of the remand prison and the Belarusian MIA that all responsibility for the lives and health of Siarhei Kavalenka falls on them.

Statement by Human Rights Center "Viasna" condemning the use of torture, intimidation, blackmail and other intolerable kinds of harassment against prisoners of conscience

Minsk, 25 January 2012

The Human Rights Center "Viasna" strongly condemns the use of torture, intimidation, blackmail and other intolerable kinds of harassment against prisoners of conscience.

Of especial concern is the recent report by Mrs. Iryna Khalip, the wife of former presidential candidate Andrei Sannikau, saying that the prisoner's life is at risk due to the reported use of torture and inhuman treatment against him. We view the two-month period of denying Sannikau's access to lawyer's assistance as direct evidence of the statement made by the political prisoner's wife.

The Human Rights Center "Viasna" respects the political prisoners' petitions for pardon, considering they were written under threats of torture against them or their families. We welcome every measure aimed at their quickest release.

We consider the groundless and illegal change of prison security measures towards Mikalai Statkevich, Mikalai Autukhovich and Yauhen Vaskovich as an additional means of pressure on the political prisoners.

The Human Rights Center "Viasna" demands an immediate release of all the prisoners of conscience and prosecution of those found responsible for the brutal violation of their rights, the use of torture and the illegal change of prison security measures.

We call upon international organizations and the governments of democratic countries to make it a condition that all political prisoners be promptly released and rehabilitated to resume any contacts with the Belarusian officials.

Statement by the Human Rights Center "Viasna" calling to immediate introduction of a moratorium on the death penalty in Belarus

Minsk, 15 March 2012

On 14 March 2012 Belarusian mass media published the information that Aliaksandr Lukashenka refused to pardon Uladzislau Kavaliou and Dzmitry Kanavalau.

The Human Rights Center "Viasna" regrets about the denial of pardon to Uladzislau Kavaliou and Dzmitry Kanavalau.

We consider the use the use of the death penalty as totally inadmissible. By their decision the Belarusian authorities demonstrate the non-adherence to the commonly recognized principles of humanism and value of human life. No crime can justify the commitment of a murder on behalf of the state.

Belarus is the last country in Europe and on the post-Soviet space where death penalty is preserved.

We emphasize that Uladzislau Kavaliou's relatives filed personal addresses with calls for pardoning the convict and the UN Human Rights Committee ruled that the execution of the death penalty was to be suspended until the consideration of the case.

The Human Rights Center "Viasna" especially emphasizes that representatives of various religious confessions also supported the pardoning of the death convicts.

What is also important, a great part of the Belarusian society upheld the non-appliance of the death penalty towards Kavaliou and Kanavalau. There is no doubt that the upbringing of the society and facilitation of its development towards the acceptance of the commonly recognized principles of

humanism is a duty of the state. The state mustn't be guided solely by the position of the part of the society which upholds this kind of penalty.

Belarus must share the values which are recognized in the majority of countries of the world.

The Human Rights Center "Viasna" calls upon the Belarusian authorities:

- not to execute the verdict of the Supreme Court of the Republic of Belarus towards Uladzislau Kavaliou and Dzmitry Kanavalau; and
- to immediately introduce a moratorium on the death penalty on the death penalty, which would be considered as an act of humanism on the part of the Belarusian authorities both in Belarus and abroad.

A joint statement by FIDH and "Viasna" on the political persecution of Siarhei Kavalenka

30 March 2012, Minsk-Paris

On 24 February 2012, the Pershamaiski District Court in Vitsebsk sentenced opposition activist Siarhei Kavalenka to two years and one month imprisonment, having found him guilty of evading serving a punishment of supervised release.

On 14 May 2010, the Kastrychnitski District Court in Vitsebsk sentenced Mr. Kavalenka to three years of provisional supervised release. Criminal proceedings were launched against the activist after he hung a Belarusian white-red-white flag, an alternative to the official flag, on top of the main New Year's tree in Vitsebsk on 7 January 2010. During his arrest, Mr. Kavalenka was severely beaten by militia officers. Later he was accused under Criminal Code Article 339.1 (deliberate acts violating public order) and Article 363.2 (violence or threats of violence against law enforcement officials on duty).

Mr. Kavalenka's public demonstration and hanging of the flag cannot in any way be classified as disturbing public order. This socio-political action do not display "special cynicism or blatant contempt for society" and that did not have this as their goal.

Prosecuting Mr. Kavalenka again, this time for allegedly evading punishment, is a bald-faced attempt to continue the political persecution of this opposition activist and to further isolate him.

At the time of his arrest, Mr. Kavalenka went on a hunger strike, which he has been continuing with breaks since 19 December 2011. FIDH and the Human Rights Center "Viasna" are especially troubled that Mr. Kavalenka has been receiving medical assistance in the poor conditions of the penitentiary. On 26 March 2012, Mr. Kavalenka was moved to the psychiatric ward on the grounds of the Vitsba-3 penal colony. Under these conditions, FIDH and the Human Rights Center "Viasna" express fear for his life and have grave concerns that he could possibly undergo forced psychiatric treatment.

FIDH and the Human Rights Center "Viasna" call upon the Belarusian government to release Mr. Kavalenka immediately and unconditionally, cease its political persecution of him, and provide him with the urgent medical care in an open-type medical institution.

Responsibility for Mr. Kavalenka's life and health lie squarely with senior officials at the Belarusian Ministry of Internal Affairs, whose care he is currently under.

Statement by the Human Rights Center "Viasna": Stop the criminal prosecution of Vasil Parfiankou

24 April 2012, Minsk

On 19 April, the Pershamaiski District Department of the Investigative Committee in Minsk notified the former political prisoner Vasil Parfiankou that he was facing criminal charges for violating the conditions of preventive supervision established by the Court of Minsk Pershamaiski District on January 5, 2012 for the period of one year.

In February 2011, Vasil Parfiankou was sentenced to four years of imprisonment under Par. 2 Art. 293 of the Criminal Code ("participation in mass disorders") for involvement in the protest against electoral fraud during the 2010 presidential election; he was pardoned by a decree of the President in August 2011. After participating in a rally of solidarity with political prisoners on 19 December 2011, he was arrested for 12 days, after which he was placed under preventive supervision.

The Human Rights Center "Viasna" believes that Vasil Parfiankou's prosecution is politically motivated, and solely related to the desire of the authorities to sanction his activities, as well as a desire to intimidate other political and civil activists on the eve of the 2012 parliamentary elections. This is confirmed by the establishment of a preventive supervision of two other former political prisoners – Uladzimir Yaromenak and Pavel Vinahradau.

Vasil Parfiankou faces up to one year and six months of imprisonment, and after the case file reaches the court, he will certainly be recognized as the new political prisoner.

The Human Rights Center "Viasna" demands:

- immediate and unconditional release of all political prisoners from detention facilities;
- termination of criminal proceedings against Vasil Parfiankou;
- expungement of the criminal records of all the persons illegally convicted for involvement in the events of 19 December 2010, which will be viewed as a step towards their rehabilitation and will allow them to continue their political activities, including running in the elections at all levels.

Statement by the Human Rights Center "Viasna" concerning the conviction and sentencing of Vasil Parfiankou

29 May 2012, Minsk

On 29 May, the Pershamaiski District Court of Minsk sentenced civil activist Vasil Parfiankou to six months of arrest for violating the restrictions of a preventive supervision imposed by a court under Art. 421 of the Criminal Code.

In February 2011, Vasil Parfiankou was sentenced to four years of imprisonment under Par. 2 Art. 293 of the Criminal Code ("participation in mass riots") for involvement in the 19 December 2010 post-election protest. He was later pardoned by the President's decree in August 2011.

After his release, Vasil Parfiankou continued civil activities and was repeatedly detained for involvement in protests in support of Belarusian prisoners of conscience that are still held in prison.

Today's verdict is directly linked to Vasil Parfiankou's earlier persecution. We view it as an ongoing harassment against the activists convicted as a result of the events of 19 December 2010, as well as an attempt to intimidate the pro-active representatives of Belarusian society.

With great circumspection and concern, the Human Rights Center "Viasna" has to state that preventive supervision has also been used against youth activists Uladzimir Yaromenak and Pavel Vinahradau, which may result in their criminal prosecution for violating parole restrictions.

The Human Rights Center "Viasna" views the sentencing of Vasil Parfiankou as a politically motivated decision, and will consider the activist a political prisoner from the moment when his imprisonment starts.

The Human Rights Center "Viasna" strongly urges to:

- put an end to political persecution of all the civil activists;
- promptly release all the political prisoners;
- remove from official records the conviction of the persons sentenced as a result of the 19 December 2010 events, which will be viewed as a step towards their rehabilitation and will enable the individuals to resume their civil and political activities.

Statement by the Human Rights Center "Viasna" calling to stop unlawful administrative arrests of civil activists

25 May 2012, Minsk

The Human Rights Center "Viasna" condemns the illegal administrative prosecution and arrests of a number of youth activists, including Mikhail Muski, Zmitser Kremianetski, Raman Vasilyeu, Mikalai Dzemidzenka and Pavel Vinahradau, as well as human rights defender Aleh Volchak.

We have to state that the Belarusian authorities have repeatedly used the disgraceful tactics of prosecuting civil activists under administrative procedures.

We believe that the systemic sentencing of civil activists on falsified charges of disorderly conduct is a criminal form of arbitrary detention. We regret to state that, alongside security forces, the illegal harassment has been contributed to by the country's judiciary, as courts keep pronouncing verdicts based on false evidence.

In particular, this spring alone, Mikhail Muski, Zmitser Kremianetski and Mikalai Dzemidzenka have been sentenced to 37 days of administrative arrest each, while Pavel Vinahradau and Aleh Volchak have been twice convicted on charges falsified by the police.

The Human Rights Center "Viasna" demands to:

- immediately put an end to the practice of administrative prosecution and illegal sentencing of civil activists on falsified charges;

- prosecute all those involved in the cases of illegal sentencing;

- compensate for the damage to health and moral sufferings of all the illegally convicted persons.

Statement by the Human Rights Center "Viasna": Belarus holds another political prisoner – journalist Andrei Pachobut

22 June 2012, Minsk

The Human Rights Center "Viasna" strongly condemns the arrest of and libel charges brought against journalist Andrei Pachobut, and views the case as politically motivated harassment aimed at sanctioning his professional activities and freedom of expression. We consider Andrei Pachobut another political prisoner and demand his immediate and unconditional release.

Journalist Andrei Pachobut was detained and then arrested on 21 June 2012 in Hrodna. The arrest is linked to a criminal case under Par. 2 Art. 367 of the Criminal Code ("libel of the President of the Republic of Belarus") initiated by the Hrodna office of the Investigative Committee as a result of an inspection carried out by the KGB regional office. Following the inspection, the KGB office concluded that a number of online publications by Andrei Pachobut contain defamatory statements concerning President Aliaksandr Lukashenka.

Under Par. 2 Art. 367 of the CC, Andrei Pachobut may be imprisoned for up to five years.

Andrei Pachobut is currently serving a 3-year suspended sentence as a result of a verdict handed down by Leninski District Court of Hrodna on 5 July 2011 on the same charges (Par. 1 Art. 367 of the Criminal Code).

The Human Rights Center "Viasna" believes that Andrei Pachobut's prosecution is a direct threat for the entire journalists' community ahead of

the September parliamentary elections. We regret to state that the repressive measure is nothing but a signal for other civil and political actors who are expected to criticize the current regime during the upcoming election campaign.

The Human Rights Center "Viasna" insists on the abolition of the defamatory charges in the Criminal Code, which provide for criminal responsibility for libel and insult of the President of the Republic of Belarus and other officials, and discrediting the Republic of Belarus. We are deeply convinced that the charges contribute to the destruction of freedom of expression guaranteed by the Constitution, and are only used to exercise politically motivated harassment of the regime's opponents.

The Human Rights Center "Viasna" demands to:
- drop the criminal charges against Andrei Pachobut and immediately release him;
- promptly and unconditionally release all the political prisoners who are either in custody or in prison;
- bring the legislation of the Republic of Belarus in line with international standards of freedom of expression.

Human Rights Center "Viasna" demands an immediate and unconditional release of Zmitser Dashkevich

17 July 2012, Minsk

According to the information received by the Human Rights Center "Viasna", the administration of penal colony No. 13 in the town of Hlybokaye, where Zmitser Dashkevich is currently serving his sentence, has submitted to the Investigative Committee of the Republic of Belarus the case file to initiate an investigation and possible criminal prosecution under Par. 1 Art. 411 of the Criminal Code (malicious disobedience of the administration of a penal colony). After his sentencing in March 2011, Zmitser Dashkevich has been repeatedly subjected to pressure by the administrations of the penal facilities where he was held. In particular, he was repeatedly placed in a punishment cell. As a result, Zmitser Dashkevich faces up to one year of imprisonment.

Zmitser Dashkevich was arrested on 18 December 2010 and sentenced on 24 March 2011 by the Maskouski District Court of Minsk under Par. 2 Art. 339 of the Criminal Code (malicious hooliganism) to tow years of imprisonment in a general-security penal colony. The Human Rights Center "Viasna" views the sentencing of Zmitser Dashkevich as a politically motivated harassment. The Amnesty International human rights organization has declared Zmitser Dashkevich a prisoner of conscience.

It should be stressed that back in 2006 he was convicted under Art. 193.1 of the Criminal Code (organization of activities of an association, foundation or religious organization, that has not passed state registration, or participation in it) and sentenced to 18 months of imprisonment. While serving the sentence in the penal colony of Shklou, Zmitser Dashkevich faced additional charges under Art. 402 of the Criminal Code (refusal or evasion of a witness to testify) and was sentenced to a fine of 60 basic units. The trials were considered as politically motivated ones by both Belarusian and international human rights communities.

Considering the new criminal charges to be brought against Zmitser Dashkevich, the Human Rights Center "Viasna" calls upon Belarusian and international human rights communities to launch a campaign of solidarity with Zmitser Dashkevich, expressing its protest and reiterating its demands to the authorities of Belarus to:

- put an end to harassment and prosecution of Zmitser Dashkevich, including attempts to further isolate him through using Art. 411 of the Criminal Code;
- immediately and unconditionally release the prisoner of conscience and take measures to rehabilitate him.

Statement by the Human Rights Center "Viasna" demanding the release of Anton Surapin and Siarhei Basharymau

24 July 2012, Minsk

Siarhei Basharymau was detained and taken into custody in the KGB remand prison on 7 July, 2012; photographer Anton Surapin was arrested on 13 July 2012. On 17 and 23 July respectively, they were charged under Par. 3. Art. 371 of the Criminal Code ("Illegal crossing of state borders of

Belarus") for alleged publication of photos by Anton Surapin depicting a Swedish aircraft flying in the Belarusian airspace. The allegations brought against Siarhei Basharymau seem to be even more absurd, as he is charged with renting an apartment to the citizens of Sweden and assisting an illegal crossing of the state border of Belarus.

It should be noted that the arrests of Anton Surapin and Siarhei Basharymau were carried out against the background of the Ministry of Defense's claims that did not confirm the fact of crossing of the state border of Belarus.

The Human Rights Center "Viasna" views the arrest and detention of Anton Surapin and Siarhei Basharymau as an escalation of fear in society and an attempt to shift responsibility for the improper protection of state borders and airspace to ordinary citizens.

The Human Rights Center "Viasna" stresses that the criminal investigation against Anton Surapin and Siarhei Basharymau is accompanied with an atmosphere of complete information isolation: the KGB fails to inform about the reasons for the detention, the nature and scope of the grave charges. In addition it should be noted that the methods of investigation used by the KGB following the events of 19 December 2010, including torture reports by persons held in the KGB jail, raise serious concern about the fate of these young people.

In this regard, The Human Rights Center "Viasna" demands to:

1. change the preventive measure against Anton Surapin and Siarhei Basharymau and release them from the KGB remand prison.
2. strictly comply with all the guarantees provided by the laws of the Republic of Belarus, including the right to protection and freedom from torture and other inhuman treatment of detainees.
3. provide public explanations on the grounds of the charges brought against Anton Surapin and Siarhei Basharymau.

Joint appeal of the Belarusian human rights defenders to the Prosecutor General and the Head of the Supreme Court of Belarus concerning the unlawful preventive detentions of civil activists and representatives of youth opposition groups

26 July 2012, Minsk
Prosecutor General of the Republic of Belarus
Aliaksandr Kaniuk
22 vul. Internatsyianalnaya, 220030, Minsk

Chairman of the Supreme Court of the Republic of Belarus
Valiantsin Sukala
28 vul. Lenina, 220030, Minsk

APPEAL

We, Belarusian human rights activists, are writing to you, heads of government bodies in charge of supervising the rule of law in the country and the legality of judicial decisions.

In recent years in Belarus on a regular basis ahead of mass events or arrivals of high-ranking officials of foreign countries there have been numerous arbitrary detentions of civil society activists and representatives of youth opposition groups. They are usually accused of disorderly conduct, and then on the testimony of the police courts punish them with administrative arrests. It is evident that such methods are used to preventively isolate the activists at the time of certain socio-political events.

In particular, Ivan Amelchanka, Raman Vasilyeu, Dzmitry Kremianetski, Uladzimir Yaromenak and Mikalai Dzemidzenka were sentenced to administrative arrests ahead of the arrival of Vladimir Putin in Minsk (31 May 2012). Vital Vasilkou, Ivan Amelchanka, Pavel Vinahradau and Aliaksandr Artsybashau were arrested on the eve of the national holiday of Independence Day (3 July 2012). Katsiaryna Halitskaya, Raman Vasilyeu, Uladzimir Yaromenak, Ivan Amelchanka, Andrey Ozharovsky, Tatsiana Novikava, Irina Sukhiy and Mikhail Matskevich were convicted ahead of Dmitry Medvedev's visit (18 July 2012).

The practice of detentions that constitute a flagrant violation of the rights of Belarusian citizens guaranteed by the Constitution of the Republic of Belarus and the country's international human rights commitments has become systemic and must be qualified as arbitrary detentions. These actions are contrary to the principles of the rule of law, involving police officers and judges in political persecution of citizens.

We are asking you to arrange a meeting with the Prosecutor General of the Republic of Belarus and Chairman of the Supreme Court of the Republic of Belarus to discuss the situation and prevent illegal practices and bring the perpetrators to justice.

Aleh Hulak, chairman of the Belarusian Helsinki Committee
Valiantsin Stefanovich, deputy chairman of the HRC "Viasna"
Ina Kulei, chair of the Committee for the Protection of the Repressed "Solidarity"
Alena Tankachova, chair of the Centre for Legal Transformation
Raisa Mikhailouskaya, chair of the Center for Human Rights

APPENDIX

During the first half of 2012 administrative sentences under Article 17.1 of the Administrative Code ("disorderly conduct") affected the following persons:

Ivan Amelchanka: administrative arrests; 15/05/2012 – the Leninski District Court of Minsk; 25/05/2012 – the Maskouski District Court of Minsk (without being released from prison); 26/06/2012, 11/07/2012, 17/07/2012, 29/07/2012 – the Leninski District Court of Minsk;

Pavel Vinahradau: administrative arrests; 30/12/2011, 21/02/2012, 02/03/2012 – the court of Maskouski district of Minsk; 24/04/2012 – the Savetski District Court of Minsk; 21/06/2012 – the Tsentralny District Court of Minsk;

Raman Vasilyeu: administrative arrests; 21/02/2012 – the court of Vitsebsk district; 26/04/2012 – the Savetski District Court of Minsk; 14/05/2012 – the Tsentralny District Court of Minsk; 26/05/2012 – the Maskouski District Court of Minsk; 17/07/2012 – the Kastrychnitski District Court of Minsk;

Uladzimir Yaromenak: administrative arrests; 21/02/2012 – the Vitsebsk District Court; 27/04/2012 – the Savetski District Court of Minsk; 16/05/2012 – the Frunzenski District Court of Minsk; 23/05/2012 – the Maskouski District Court of Minsk; 17/07/2012 – the Kastrychnitski District Court of Minsk;

Mikalai Dzemidzenka: administrative arrests; 26/04/2012 – the Savetski District Court of Minsk; 14/05/2012 – the Tsentralny District Court of Minsk;

Mikhail Muski: administrative arrests; 21/02/2012 – the Vitsebsk District Court; 07/04/2012 – the Leninski District Court of Minsk; 26/04/2012 –

the Savetski District Court of Minsk; 11/05/2012 – the Maskouski District Court of Minsk;

Pavel Siarhei: administrative arrests; 16/05/2012, 21/04/2012 – the Frunzenski District Court of Minsk;

Dzmitry Kremianetski: administrative arrests; 21/02/2012 – the Vitsebsk District Court; 07/04/2012 – the Leninski District Court of Minsk; 27/04/2012 – the Savetski District Court of Minsk; 14/05/2012 – the Tsentralny District Court of Minsk; 24/05/2012 – the Maskouski District Court of Minsk;

Katsiaryna Halitskaya: administrative arrest; 17/07/2012 – the Maskouski District Court of Minsk;

Vital Vasilkou: administrative arrest; 30/06/2012 – the Frunzenski District Court of Minsk;

Andrey Ozharovsky, administrative arrest; 18/07/2012 – the Maskouski District Court of Minsk;

Tatsiana Novikava: administrative arrest; 18/07/2012 – the Maskouski District Court of Minsk;

Irina Sukhiy: fine; 18/07/2012 – the Tsentralny District Court of Minsk;

Mikhail Matskevich: administrative arrest; 18/07/2012 – the Tsentralny District Court of Minsk.

Petition for the release of the head of the Human Rights Center "Viasna" Ales Bialiatski and all political prisoners

To President of the Republic of Belarus
Aliaksandr Lukashenka
220016, 38 Karl Marx St., Minsk, Belarus

PETITION

On 4 August 2011, Ales Bialiatski, prominent Belarusian human rights defender, chairman of the Human Rights Center "Viasna" and vice-president of the International Federation for Human Rights (FIDH), was arrested and later sentenced to four and a half years of imprisonment.

We believe that his sentencing is illegal, as it is only linked to his human rights activities. Ales Bialiatski's arrest was the result of the Belarusian authorities' persistent policy against the country's human rights and civil society organizations: dissolutions of NGOs by court rulings, denying state registration, including by the judiciary, criminal prosecution for illegal NGO

activities, ban on and criminal prosecution for receiving foreign financial aid.

We, representatives of Belarusian and international human rights communities, urge the authorities of Belarus to immediately and unconditionally release chairman of the Human Rights Center "Viasna" and vice-president of the International Federation for Human Rights (FIDH) Ales Bialiatski, as well as other prisoners of conscience still held in Belarusian prisons.

We urge the authorities of Belarus to put an end to harassment and persecution of representatives of the country's civil society and human rights defenders, as well as to bring the Belarusian legislation in line with the international human rights standards.

FIDH and "Viasna" condemn sentence imposed on Zmitser Dashkevich

31 August 2012, Minsk-Paris

FIDH and its member organisation in Belarus Human Rights Center "Viasna" condemn the one year prison sentence imposed on 28 August on Zmitser Dashkevich, leader of the civil and political organization Young Front, for "repeated failure to obey prison authorities".

Zmitser Dashkevich was initially sentenced on 24 March 2011 to 2 years imprisonment on charges of "malicious hooliganism" allegedly committed ahead of the latest presidential election of December 2010. Since his arrest and detention, he was transferred six times to various detention facilities and penal colonies. Over the last months, he has been purging his sentence in high-security colony No.13 in Hlybokaye (Vitsebsk region). He was expected to be released on 18 December 2012. With this new sentence, Mr. Dashkevich is likely remain imprisoned until 28 August 2013.

During his imprisonment, Mr. Dashkevich has been repeatedly subjected to physical and psychological pressure in the penal facilities where he was held. He has also been repeatedly placed in a punishment cell for long periods and threatened with death. His right to meet his family has been arbitrarily restricted.

"Adding new sentences to the previous and not yet completed ones might constitute a further step in the repressive arsenal in Belarus", stated Ms. Souhayr Belhassen, FIDH President. "The harassment inflicted upon him is politically motivated and contravenes Belarus' human rights obligations,

in particular the prohibition of cruel, inhuman and degrading treatment or punishment".

"We are seriously concerned about Mr. Dashkevich's health and the conditions of his detention", added Valentin Stefanovich, Vice-President of "Viasna".

FIDH and "Viasna" urge the Belarusian authorities to put an end to any kind of harassment against Mr. Dashkevich and to immediately and unconditionally release him, as well as all political prisoners in Belarus.

A joint statement by FIDH and the Human Rights Center "Viasna" concerning the toughening of the prison conditions for the civil activist Dzmitry Dashkevich

1 November 2012, Minsk-Paris

FIDH and its member organisation in Belarus, Human Rights Center "Viasna", condemn Tuesday's Mozyr District Court decision imposing punitive incarceration on Zmitser Dashkevich, leader of the civil and political organization "Young Front", for the entire duration of his sentence. Such incarceration sees Dashkevich sent to a prison where conditions are even harsher than in penal colonies, including confinement to his cell 24 hours a day.

The Court took such decision alleging that Mr. Dashkevich has violated the internal rules of Mozyr penal colony, thus making him a "malicious rule breaker". His current whereabouts are unknown, the name of his new prison not being disclosed.

Zmitser Dashkevich was initially sentenced on 24 March 2011 to two years of imprisonment on charges of "malicious hooliganism", allegedly committed ahead of the presidential election of December 2010. On 28 August 2011, Hlybokaye District Court held an on-site hearing in penal colony No. 13 in Hlybokaye, finding the civil activist guilty of repeated failures to obey the prison administration (Part 1 of Article 411 of the Criminal Code). A further year's sentence was imposed on Mr. Dashkevich, thus making it likely that he remain incarcerated until 28 August 2013.

FIDH and "Viasna" believe these decisions to be part of a general repressive trend in Belarus. They also consider this to be yet another episode of harassment against civil society, aimed at silencing the regime's opponents and subjecting them to ever increasing pressure. Mozyr District Court's

decision brings the total number of political prisoners sent to prisons with extremely severe and restrictive conditions to four.

FIDH and “Viasna” urge the Belarusian authorities to end all harassment of Mr. Dashkevich and to immediately and unconditionally release him, and all political prisoners in Belarus.

Statement by the Human Rights Center “Viasna” on the occasion of the anniversary of the conviction of its head, Ales Bialiatski, and the confiscation of the organization office

26 November 2012, Minsk

The imprisonment of the head of the organization, Ales Bialiatski, and confiscation of its office won’t stop the activities of the Human Rights Center “Viasna”

On 24 November there has turned a year since the delivery of the sentence to the head of the Human Rights Center “Viasna” Ales Bialiatski, who was sentenced to 4.5 years of imprisonment with confiscation of property on charges of evasion from the payment of taxes, by which receiving financial means for the organization’s activities was meant. We consider this verdict solely as a legal lynching of the most famous Belarusian human rights defender and an attempt to stop the activities of the Human Rights Center “Viasna”. We also have the same views on the confiscation of the apartment in Nezalezhnasts Avenue 78a-48 in Minsk where the central office of the organization has been situated for the last 12 years.

During the existence of this office of the HRC “Viasna” it has been visited by thousands of citizens who have been given legal assistance. We have raised funds for assistance to the repressed, held press-conferences, meetings, trainings and seminars. Our activities have always been carried out openly, despite the absence of the state registration since 2003 and the danger of prosecution arising from it.

The Human Rights Center “Viasna” has grounded its activities on the international standards of human rights advocacy, provisions of the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights

and Fundamental Freedoms (Declaration on Human Rights Defenders), adopted by the UN General Assembly, which guarantees the right protect human rights individually and association with others and seek funds for such activities.

The Human Rights Center “Viasna” states:

The imprisonment of Ales Bialiatski and existence of political prisoners in Belarus indicate a critically bad situation of human rights in the country.

The reprisals against the head and the members of the HRC “Viasna”, as well as the confiscation of assets, will not stop our activities. The organization will not refuse from any of directions of the legitimate activities for the protection of human rights.

All victims of human rights violations can still count on our support and assistance.

We will continue defending the human rights values, struggle for their respect by the Belarusian authorities and inform the Belarusian society and the international community about the real situation of human rights in Belarus.